Mayor James Kacsh Council Members Kristin Carpenter Tim Joyce Tom Bailer Robert Beedle Josh Hallquist David Reggiani

City Manager Randy Robertson

James Burton

City Clerk
Susan Bourgeois

Deputy Clerk

Tina Hammer Student Council

New appointee New appointee

Regular City Council Meeting January 20, 2016 @ 6:15 pm Cordova Center Community Rooms A & B <u>Agenda</u>

A. Call to order

B. Invocation and pledge of allegiance

I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one Nation under God, indivisible with liberty and justice for all.

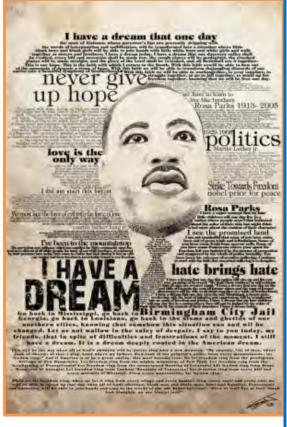
C. Roll call

Ocean Dock Subdivision

Mayor James Kacsh, Council members Kristin Carpenter, Tim Joyce, Tom Bailer, Robert Beedle, Josh Hallquist, David Reggiani and James Burton

D. Approval of Regular Agenda..... (voice vote) E. Disclosures of Conflicts of Interest F. Communications by and Petitions from Visitors 1. Guest Speakers 3. Chairpersons and Representatives of Boards and Commissions (Harbor, HSB, Parks & Rec, P&Z, School Board) 4. Student Council Representative Report An ordinance of the City Council of the City of Cordova, Alaska amending Cordova Municipal Code Title 8 entitled "Health and Safety" to adopt Chapter 8.40 entitled "Marijuana Regulation," and designating the Cordova City Council as the City's local regulatory authority on marijuana -2nd reading An ordinance of the City Council of the City of Cordova, Alaska amending Cordova Municipal Code Title 8 to add a new Chapter 8.44 to prohibit the extraction of tetrahydrocannabinol ("THC") or any cannabinoid by use of materials or methods deemed dangerous to public health and safety, unless otherwise permitted by law - 2nd reading A resolution of the City Council of the City of Cordova, Alaska, approving the license for a mobile restaurant A resolution of the City Council of the City of Cordova, Alaska, approving the site plan of Ocean Beauty Seafoods, LLC to construct a 5,400 square foot fish oil and fish meal production facility on Lot 3A. Block 1. Cordova Industrial Plant A resolution of the City Council of the City of Cordova, Alaska, approving the site plan of Alpine

Diesel to construct an 8,640 square foot vessel maintenance building on a portion of Tract 1A,



H. Approval of Minutes
10. 01-06-16 Public Hearing Minutes
I. Consideration of Bids
J. Reports of Officers
11. Mayor's Report12. Manager's Report13. City Clerk's Report
K. Correspondence
14. 01-06-16 Rodrigues letter in re Culvert in Forest Heights Subdivision
L. Ordinances and Resolutions
M. Unfinished Business
N. New & Miscellaneous Business
15. Presentations by Legal firms that have responded to the City's RFP for legal services
O. Audience Participation
P. Council Comments
17. Council Comments
Q. Executive Session
R. Adjournment

MLK JR. DAY * JANUARY 18, 2016

Executive Sessions: Subjects which may be discussed are: (1) Matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government; (2) Subjects that tend to prejudice the reputation and character of any person; provided that the person may request a public discussion; (3) Matters which by law, municipal charter or code are required to be confidential; (4) Matters involving consideration of governmental records that by law are not subject to public disclosure.

If you have a disability that makes it difficult to attend city-sponsored functions, you may contact 424-6200 for assistance. Full City Council agendas and packets available online at www.cityofcordova.net

A Memo from Susan Bourgeois, CMC, City Clerk

DATE: December 29, 2015

TO: Mayor and City Council and the public

SUBJECT: Ordinances 1139 & 1140

City Attorney Katie Davies presented two draft ordinances in her presentation to City Council on December 16, 2015. She suggested that Council pass these whether or not it decides to opt-in regarding marijuana and its newly regulated legality within the State of Alaska per Alaska Statute 17.38. The first, Ordinance 1139, designates City Council as the regulatory authority on marijuana in Cordova strictly for the City's ability to then collect revenue because according to the statute 50% of license fees go to the local regulatory authority. Davies said that the fees have not been set yet but the licenses will be for any number of different aspects of marijuana-related businesses such as: growing, selling, testing, of marijuana and marijuana products. Ordinance 1140 deals with THC extraction and it prohibits certain manufacturing processes of marijuana which are very dangerous.

Required action: Majority roll call vote of the consent calendar on first reading.

CITY OF CORDOVA, ALASKA ORDINANCE 1139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA AMENDING CORDOVA MUNICIPAL CODE TITLE 8 ENTITLED "HEALTH AND SAFETY" TO ADOPT CHAPTER 8.40 ENTITLED "MARIJUANA REGULATION," AND DESIGNATING THE CORDOVA CITY COUNCIL AS THE CITY'S LOCAL REGULATORY AUTHORITY ON MARIJUANA

WHEREAS, the voters of Alaska approved Ballot Measure 2 on November 4, 2014; and

WHEREAS, Ballot Measure 2 provided for general legalization of marijuana and adopted a new chapter in the Alaska Statutes, which has been codified at Alaska Statute 17.38; and

WHEREAS, Alaska Statute 17.38.100(c) provides for the transfer of a portion of license application fees to the "local regulatory authority" in a municipality and thus it is in the City's best interest to establish a "local regulatory authority" to ensure collection of any available fees; and

WHEREAS, the Cordova City Council is hereby designated the "local regulatory authority" pursuant to Alaska Statute 17.38.100(c).

NOW, THERFORE, BE IT ORDAINED by the Council of the City of Cordova, that: <u>Section 1.</u> Cordova Municipal Code Title 8 Entitled "Health and Safety" is amended to add a chapter designating the Cordova City Council as the City's local regulatory authority on marijuana.

Chapter 8.40 - Marijuana Regulation

Sections.

8.40.010 Local regulatory authority

8.40.010 Local regulatory authority.

The City Council is designated as the "local regulatory authority" as that term is used in Alaska Statutes Chapter 17.38 and any implementing legislation or rule-making.

<u>Section 2:</u> This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published within ten (10) days after its passage.

1st reading: January 6, 2016 2nd reading and public hearing: January 20, 2016

PASSED AND APPROVED THIS 20th DAY OF JANUARY, 2016

ATTEST:	

CITY OF CORDOVA, ALASKA ORDINANCE 1140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA AMENDING CORDOVA MUNICIPAL CODE TITLE 8 TO ADD A NEW CHAPTER 8.44 TO PROHIBIT THE EXTRACTION OF TETRAHYDROCANNABINOL ("THC") OR ANY CANNABINOID BY USE OF MATERIALS OR METHODS DEEMED DANGEROUS TO PUBLIC HEALTH AND SAFETY, UNLESS OTHERWISE PERMITTED BY LAW

WHEREAS, in 2014, Alaska voters approved a ballot measure legalizing personal recreational marijuana use and possession of marijuana and marijuana paraphernalia; and

WHEREAS, other jurisdictions that have legalized marijuana have experienced an increase in fires and explosions related to certain methods of manufacturing marijuana products, including the use of highly flammable materials and methods to extract THC oil from the marijuana plant, resulting in significant personal injury, death and property damage; and

WHEREAS, it is in the interest of the City of Cordova and its residents to protect the public health and safety against known and unreasonable risks of certain manufacturing processes of a legalized marijuana industry.

NOW, THERFORE, BE IT ORDAINED by the Council of the City of Cordova, that: <u>Section 1</u>. Cordova Municipal Code is hereby amended to enact chapter 8.44, Prohibited Acts Regarding Marijuana, as follows:

Chapter 8.44 - Prohibited Acts Regarding Marijuana

Sections

8.44.010 Certain manufacturing processes prohibited.

8.44.010 Certain manufacturing processes prohibited.

- A. It shall be unlawful for any person to: Manufacture a marijuana concentrate, hashish, or hash oil by use of solvents containing compressed flammable gases or through use of a solvent-based extraction method using a substance other than vegetable glycerin, unless the person is validly licensed and permitted in accordance with statute, regulation, or ordinance.
- B. Definitions. For purposes of this section:
 - 1. "manufacture" means the preparation, compounding, conversion, or processing of marijuana, hashish, or hash oil, either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the marijuana, hashish, or hash oil, or labeling or relabeling of its container. It includes the organizing or supervising of the manufacturing process. It does not include the legally authorized planting, growing, cultivating, or harvesting of a plant.
 - 2. "marijuana concentrate" means any product which, through manufacture, contains tetrahydrocannabinol (THC). Common names and types of product include "shatter", butane or CO2 hash oil, "ring pots", butter, hash, hashish, keif, oil, or wax.
- C. Seizure. Any marijuana as defined in AS 17.38.900, equipment, material, product, package or container possessed, used or intended to be used, or produced in violation of

this section may be seized and held as evidence to be used in any future proceeding and may be disposed of as appropriate after their use for evidentiary purposes is no longer required, including in accordance with chapter 18.30 of this code.

<u>Section 2:</u> This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published within ten (10) days after its passage.

1st reading: January 6, 2016 2nd reading and public hearing: January 20, 2016

PASSED AND APPROVED THIS 20th DAY OF JANUARY, 2016

James	Kacsh,	Mayor	
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ATTEST:

Susan Bourgeois, CMC, City Clerk

A memo from Susan Bourgeois, CMC, City Clerk

DATE: January 13, 2016

TO: Mayor & City Council, public

SUBJECT: Resolution 01-16-03

The attached resolution will act as Council's approval of a license to operate a mobile restaurant. This request was made by Alicia Jensen and Jason Long and after reviewing the Code, I have written a resolution to act as the method of approval. The applicable Code sections are referenced in the body of the resolution. Also for reference I have attached Chapter 6.16 Food Handling Establishments in its entirety. The applicants and prospective business owners have also included a description of their business plan including appropriate licensure and City utility plans. They have addressed parking and probable locations and included a rendition of a visual of the proposed food truck.

Recommended Motion: Move to approve the consent calendar

Required Action: Majority roll call vote on the consent calendar

CITY OF CORDOVA, ALASKA RESOLUTION 01-16-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, APPROVING THE LICENSE FOR A MOBILE RESTAURANT

WHEREAS, CMC 6.16.010 defines a mobile restaurant as any restaurant or other stand, vehicle or cart or other movable structure or other means, by which food is sold to the public upon public streets, sidewalks, alleys or other public rights-of-way, or upon private property not in a structure affixed to the land; and

WHEREAS, applicants for mobile restaurant licenses shall be denied a license unless the applicant demonstrates to the council that public convenience and necessity will thereby be enhanced without causing undue risk or harm to the public health or safety; and

WHEREAS, operators of a mobile restaurant in Cordova must abide by Cordova Municipal Code Chapter 6.16.050 which reads as follows:

- A. A mobile restaurant may not be stopped or positioned in a manner or location that will congest or impede the flow of traffic or otherwise interfere with the use of the streets or access-ways by the public.
- B. A mobile restaurant selling foods that are dispensed or wrapped in disposable containers or packages shall be equipped with a sufficient number of accessible receptacles for disposal of litter produced by sales, and the operator shall police all resulting litter from each area of operation.
- C. A mobile restaurant may not be operated from any location on a public street, alley or right-of-way for a period of time in excess of two hours, unless the operator acquires written permission from the city manager to operate for a longer designated period of time to provide service to the public.
- D. A mobile restaurant may not be operated in front of or immediately adjacent to an established business offering the same or similar commodities from a fixed location.
- E. The overall dimensions of a mobile restaurant shall not exceed a length of twenty-five feet, a width of up to but not exceeding eight feet, nor a height of eleven feet, and the mobile restaurant must be licensed and registered with the state. The gross weight of the mobile restaurant shall not exceed ten thousand pounds.

WHEREAS, Alicia Jensen and Jason Long have made application to the Clerk to operate a mobile restaurant; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cordova, Alaska, does hereby approve the application of Alicia Jensen and Jason Long for a license to operate a mobile restaurant in Cordova for one year.

PASSED AND APPROVED THIS 20th DAY OF JANUARY, 2016

Chapter 6.16 - FOOD HANDLING ESTABLISHMENTS

Sections:

6.16.010 - Definitions.

For the purposes of this chapter, the following terms shall be defined as follows:

- A. "Food" means any matter, including milk, intoxicating liquors, and other liquids, commonly consumed by persons.
- B. "Food handler" means and includes any person employed or working in any food handling establishment.
- C. "Food handling establishment" means any restaurant, itinerant restaurant, mobile restaurant, bar, market, store, confectionery, bottling works, bakery or dairy as defined in this section.
- D. "Itinerant restaurant" includes any restaurant operating for a temporary period in connection with a fair, carnival, circus, public exhibition or other similar gathering.
- E. "Mobile restaurant" includes any restaurant or other stand, vehicle, cart or other movable structure or other means, by which food is sold to the public upon public streets, sidewalks, alleys or other public ways or rights-of-way, or upon private property not in a structure affixed to the land.

(Prior code § 6.301, as amended during 1979 codification).

6.16.020 - License—Mobile restaurants to show necessity.

Applicants for mobile restaurant licenses shall be denied a license unless the applicant demonstrates to the council that public convenience and necessity will thereby be enhanced without causing undue risk or harm to the public health or safety. The council may restrict the license to areas within the city in which the applicant presents sufficient evidence of convenience and necessity. Upon request for appearance, the council shall schedule a prompt hearing and permit the applicant reasonable time to present evidence.

(Prior code § 6.304, as amended during 1979 codification).

6.16.030 - License—Showing of other required licenses.

A food handling establishment shall have and show to the satisfaction of the city clerk that such establishment has the applicable state, borough and city licenses required for the use and occupancy of the premises or to operate the business involved before the city clerk may issue the annual license.

(Prior code § 6.306, as amended during 1979 codification).

6.16.040 - License—Revocation.

A food handling license once issued is subject to suspension or revocation if the licensee fails to maintain all state, borough and city licenses and to meet all state, borough and city health requirements, and comply with all city and state laws, ordinances and regulations.

(Prior code § 6.308, as amended during 1979 codification).

6.16.050 - Operation of mobile restaurant.

- A. A mobile restaurant may not be stopped or positioned in a manner or location that will congest or impede the flow of traffic or otherwise interfere with the use of the streets or access-ways by the public.
- B. A mobile restaurant selling foods that are dispensed or wrapped in disposable containers or packages shall be equipped with a sufficient number of accessible receptacles for disposal of litter produced by sales, and the operator shall police all resulting litter from each area of operation.
- C. A mobile restaurant may not be operated from any location on a public street, alley or right-of-way for a period of time in excess of two hours, unless the operator acquires written permission from the city manager to operate for a longer designated period of time to provide service to the public.
- D. A mobile restaurant may not be operated in front of or immediately adjacent to an established business offering the same or similar commodities from a fixed location.
- E. The overall dimensions of a mobile restaurant shall not exceed a length of twenty-five feet, a width of up to but not exceeding eight feet, nor a height of eleven feet, and the mobile restaurant must be licensed and registered with the state. The gross weight of the mobile restaurant shall not exceed ten thousand pounds.

(*Prior code* § 6.305, as amended during 1979 codification).

Jan. 12, 2016

To: City Clerk/Cordova City Council

From: Alicia Jensen and Jason Long

Re: Conditional Permit for mobile food truck

We are asking for a conditional mobile food permit for 2016. A loan has been applied for to purchase a remodeled food truck that will not exceed 25' in length nor 8' in width or 11' in height. All State of Alaska DEC regulations will be followed in regards to mobile food units and all staff will be trained in Food Handler Safety and/or Certified Food Protection Manager. Operations will be done on either private lots or on City property, adhering to all parking limitations and laws. (See attached parking proposal) We also have plans to place water/sewer hookups on the property of Herb Jensen's north fill warehouse lot allowing us a spot to prep and clean up and reducing the need for city dump facilities. This will also provide a location for storage. Trash needs will be satisfied by us by either hauling to the City baler or having cans placed on the warehouse lot. We aim to reduce overall daily trash by using compostable materials, composting what food scraps we produce and recycling what can be.

We feel that Cordova can use another dining option that is ran in a clean, safe and professional manner serving the public healthy, diverse

food options. Our goal is to bring a focus on Alaskan ingredients, organic when possible, served in various global styles, to the citizens of our town in an affordable and relaxed way. The reputation that our previous food establishment (Killer Whale Café 2002-2011) was one of good standing in the community and all sales and property taxes were paid in full and on time.

We ask your support in granting a conditional license as we go through the loan process to obtain this truck and bring it into service in Cordova in spring 2016.

Thank you, Alicia Jensen and Jason Long

Jan. 12, 2016

To: City Clerk/Cordova City Council

From: Alicia Jensen and Jason Long

Re: Proposed Special Use Extended Parking Permit

Our mobile kitchen will be truly mobile, with the ability to move around our community to better meet the needs of our patrons. We would like to propose an extended parking permit for use of the food truck that would allow us to park and operate in certain areas for longer than the standard two hours of most spots. This would allow us to have a reliable schedule for serving times during the week and the chance to park in high traffic areas late in the evening. You will find our plan outlined below:

Five hour parking allowance in non-congested areas such as the harbor parking lots on Nicholoff and Breakwater, along the Grassy Field on Chase Avenue, the parking area at Nirvana Park, Second Street between Browning and Adams, and Mt Eyak Ski Area Parking lots.

This would EXCLUDE us from parking in City lots on First Street, as well as Second St. from Council to Browning during business hours of 7am-6pm.

This is in no way a final plan, but one that we would like to work on with the City to allow us ease of operation while reducing congestion and hassle for the City of Cordova and local businesses and patrons.

Thank you, Alicia Jensen and Jason Long

ALICA JEWSEN / JASON LONG



STYLE OF TEUCK - EXTERIOR DESIGN WILL VARY.

Memorandum

To: City Council **From:** Planning Staff

Date: 1/13/16

Re: Site Plan Review – Ocean Beauty Seafoods, LLC

PART I – GENERAL INFORMATION

Requested Actions: Site Plan Review

Applicant: Ocean Beauty Seafoods, LLC Owner Name: Ocean Beauty Seafoods, LLC

Address: 301 Jim Poor Ave.

Legal Description: Lot 3A, Block 1, Cordova Industrial Park

Parcel Number: 02-060-205

Zoning: Waterfront Industrial District

Lot Area: 84,522 sq. ft.

PART II – BACKGROUND

12/08/15 – At the Planning Commission Regular Meeting the site plan was referred back to staff for additional information.

1/12/16 – At the Planning Commission Regular Meeting the site plan and additional information was reviewed and approved:

M/McGann S/Frohnapfel to recommend to the City Council to approve the Site Plan Review requested by Ocean Beauty Seafoods, LLC to construct a facility to process fish waste on Lot 3A, Block 1, Cordova Industrial Park based on the findings and with the special conditions a contained in the staff report. Upon voice vote, motion passed 6-0.

Yea: Bailer, McGann, Pegau, Roemhildt, Frohnapfel, Kocan

COI: Baenen

Special condition

1. The Planning Department must be in receipt of a Plan Review from the State of Alaska Fire Marshal prior to issuance of a Building Permit.

Ocean Beauty Seafoods, LLC is proposing to construct a facility to process fish waste into fish oil and fishmeal. Ocean Beauty Seafoods has a performance bond with the city for the development of the property.

At this time, City Council will vote on whether or not to approve the attached Site Plan Review Application from Ocean Beauty Seafoods, LLC.

PART III – REVIEW OF APPLICABLE CRITERIA & SUGGESTED FINDINGS

Chapter 18.33 ZONING – WATERFRONT INDUSTRIAL DISTRICT

The development of a fish and seafood processing facility is permitted. A Site Plan Review is required in the Waterfront Industrial District.

Section 18.42.010 ZONING – SITE PLAN REVIEW – Purpose.

Whenever required by this code or the city council, a site plan review shall be completed by the planning commission with a recommendation to the city council. Prior to the issuance of a building permit, the city council must approve the site plan for the project.

<u>Section 18.42.030 ZONING – SITE PLAN REVIEW – Required Information.</u>

The site plan to be submitted as required herein shall contain the following information. If any of the information requested herein is not applicable to a given project, the reasons for the non-applicability of the information requested shall be stated in the site plan:

- 1. Name, address and phone number of owner/developer;
- 2. Legal description of property;
- 3. A scale of not less than 1'' = 20';
- 4. Date, north point and scale;
- 5. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties;
- 6. The zoning and siting of all structures on the subject property and abutting properties;
- 7. The location of each proposed structure in the development area, the use or uses to be contained therein, the number of stories, gross building area, distances between structures and lot lines, setback lines and approximate location of vehicular entrances and loading points;
- 8. The location of all existing and proposed drives and parking areas with the number of parking and/or loading spaces provided and the location and right-of-way widths of all abutting streets;
- 9. Location and height of all walls, fences and screen plantings, including a general plan for the landscaping of the development and the method by which landscaping is to be accomplished and be maintained:
- 10. Types of surfacing, such as paving, turfing or gravel to be used at the various locations;
- 11. A grading plan of the area demonstrating the proposed method of storm drainage;
- 12. Size and location of proposed sewer and water lines and connections;
- 13. Front and side elevations of proposed structures;
- 14. Exterior finish and color.

Chapter 18.48 ZONING – OFF-STREET PARKING, LOADING AND UNLOADING

Manufacturing uses require "One space for every two employees, plus as required if retail or warehouse uses on premises." Per 18.48.080, the planning commission may reduce the required number of parking spaces if the commission determines that an unreasonable amount parking spaces is required or that the required number of spaces does not meet the city's development goals or its land use needs. Attached email describes the employment needs for the addition.

A fire hydrant is located on the corner of Breakwater and Jim Poor Avenue. City Code states

• 16.45.10.206 - Obstruction of fire-protection equipment.

No vehicle shall be parked within 15 feet of the front and 10 feet of the sides of a fire hydrant, Fire Department connection or fire protection control valve on private or public property. Fire Department connections and fire protection system control valves will be posted with an approved City "no parking" sign. The cost of such signs shall be borne by the property owner.

The attached drawing shows building B being a dock for container trucks to be loaded and unloaded. Per the drawing where driveway is shown it would eliminate approximately (not including the 15 feet either side of the fire hydrant on the corner) three parking places on Breakwater avenue. Parking in the North Harbor is limited. Allowing a driveway along Breakwater is an acceptable option. Although another option

might be to move the fire hydrant and light pole allowing the container trucks to back in from Jim Poor Avenue, this would keep truck traffic on Jim Poor Avenue and leave the public parking on Breakwater.

PART IV – SUGGESTED MOTION

"I move to approve resolution 01-16-04"

<u>Attachment A – Location Map</u>



CITY OF CORDOVA, ALASKA RESOLUTION 01-16-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, APPROVING THE SITE PLAN OF OCEAN BEAUTY SEAFOODS, LLC TO CONSTRUCT A 5,400 SQUARE FOOT FISH OIL AND FISH MEAL PRODUCTION FACILITY ON LOT 3A, BLOCK 1, CORDOVA INDUSTRIAL PARK

WHEREAS, Ocean Beauty Seafoods, LLC has submitted a Site Plan Review for the construction of a 50 X 100 and a 20 X 20 building for a total approximate square footage of 5,400; and

WHEREAS, per Cordova Municipal Code Sub-section 18.42.020.A. planning staff shall submit copies of the site plan "to the city council at its next regularly scheduled meeting for action;" and

WHEREAS, the Site Plan has been reviewed by the Planning Commission and is being forwarded to City Council with the following special conditions in place:

1. The Planning Department must be in receipt of a Plan Review from the State of Alaska Fire Marshal prior to issuance of a Building Permit.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Cordova, Alaska hereby approves the Site Plan from Ocean Beauty Seafoods, LLC to construct a 5,400 sq. ft. fish oil and fish meal production facility on Lot 3A, Block 1, Cordova Industrial Park.

PASSED AND APPROVED THIS 20th DAY OF JANUARY, 2016.

	Attest:	James Kacsh, Mayor	_
		Susan Bourgeois, CMC, City Clerk	



November 20, 2015

City of Cordova Planning and Zoning Commission Site Plan Review 602 Railroad Ave Cordova, Alaska 99574

To whom it may concern:

Ocean Beauty Seafoods, LLC is submitting the attached site plan with the intent of constructing a facility to process fish waste. The facility will process unutilized fish residue into fish oil and traditional dried fishmeal.

The processing facility is designed to include an oversized scrubber. We have also included in the design a secondary scrubber to further reduce any odor that may result from the process.

The engineers for the project building are:

Foundation Engineer -Ben Oien 16922 Hansen Dr Eagle River, AK 99577 907-694-0507

Structural Engineer -Rama Adhikary 303 Halton Rd Syracuse, NY 13224 303-304-0946

We are submitting this via email and mailing a check for the fees. If you have any questions please feel free to contact me at jeff.backlund@oceanbeauty.com or 206 465-4853.

Renards

[#]Jeff Backlund

SITE PLAN REVIEW - ZONING APPLICATION CITY OF CORDOVA

INSTRUCTIONS

Print or type requested information. Incomplete applications will be returned to the applicant and will delay the processing of your request. All applications must be filed with the Planning Department 21 days prior to the next Planning Commission meeting date.

	FEE	
	Site Plan Review	varies
	Residential	\$50
	Multi-Family	\$100
Х	Commercial	\$150
X	Industrial	\$200

APPLICANT INFORMATION			
Name	Jeff Backlund		
Address	1100 West Ewing Street, Seattle, WA 98119		
Telephone [home]	206 270-3470		
Business Name	Ocean Beauty Seafoods, LLC		
Business Address	1100 West Ewing Street Seattle, WA 98119		
Telephone [business]	206 285-6800		
Business FAX	206 770-7202		
Project architect/engineer	See attached letter		
Address of architect/engineer			
Telephone of architect/engineer			

PROPERTY/PROJECT INFORMATION		
Address of subject property	301 Jim Poor Lane Cordova, AK 99574	
Parcel identification number	Lot 1 Block 1 of Plat 68-304, ATS 220	
Property owner [name/address]	Ocean Beauty Seafoods, LLC	
Current zoning	•	
Proposed use	Fish Oil and Fish Meal production facility	
Construction start date	1/2/2016	
WAA		

Owner of property (if different than applicant). If multiple owners, list names and addresses of each and indicate ownership interest. Attach additional sheet if necessary.	N/A
Real Estate Firm/Broker handling sale of property. Provide name and address. Note : If you do not own the property, you must provide a copy of a Purchase Agreement or instrument acceptable to the city indicating the owner is fully aware of, and in agreement with, the requested action.	N/A
City Business License Permit Number (if applicable)	
APPLICANT CE	RTIFICATION
By the signature(s) attached hereto, I (we) certify that and accompanying documentation is, to the best of my Furthermore, I (we) hereby authorize the City and its my with this application for purposes of conducting necess	y (our) knowledge, true and accurate. epresentatives to enter the property associated sary site inspections. By: (Signature)
Date: 1/20/20/5 Appeal Procedures: A decision of the Planning Com Adjustment. An appeal must be filed in writing with the In accordance with the procedures outlined in Section	e City Clerk within ten (10) days of the decision.
CITY USE ONLY - PLEASE DO I	NOT WRITE IN THIS SECTION
ITEM	ACTION
Date application received: Fee paid: Does application require a public hearing? Planning Commission: City Council: Staff review date/reviewer name:	
Planning Commission final action	

ZONING APPLICATION

City Council final action:

Other:

SITE PLAN REVIEW 18.42

A zoning compliance permit for property within the City of Cordova expires eighteen (18) months after the date it is issued. Excavation is not considered construction.

Please describe the proposed construction/alteration and intended use:	
Construction of a building and fishoil/meal facility	
2. Please give dimensions and square footage of construction: $50x100$ plus $20x20$ total 5400 sqft	
3. Intended use: $\{\ \}$ Single Family $\{\ \}$ Duplex $\{\ \}$ Multifamily $\{\ X\ \}$ Commercial/Industrial	
\ \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
4. No. of Living Units: 0 5. No. of Bedrooms: 0	
7. Is there a new: { }Garage? { }Carport? No Is it attached to the residence? { }Yes { }No	0
8. Is there an apartment above the garage? { }Yes { }No 9. Off-street parking: Existing X Proposed	
9. Off-street parking: Existing X Proposed	
10. Required Setbacks: Front Left Side Right side Rear Height	
11. Proposed Setbacks: Front Left Side Right side Rear Height	_
12. Sewage Disposal:	
{ }Private marine outfall: {x }Existing { }New Specify owner/location:	
{ }Private on-site sewer: { }ADEC Certification Attached	-
NOTE: Property owners with a private system need an ADEC permit showing sewer system is operational before Permit	
can be issued. Please contact ADEC at (907) 225-6200	
13. Water supply: { }Cistern (show on site plan) {x }City	
14. Is the construction occurring on a grandfathered structure (build prior to August 7 1967)? No	
15. Is there a building currently on the property? [X] Yes { No building will be removed	
If YES, an As-built survey must be attached.	wec
16. Which licensed surveyor will be doing your foundation/as-built Survey?	
17. Is your driveway exit and adjoining roads shown on the site plan? {X }Yes { }No	
Are you building a new driveway that exits onto a State road or highway? $\{\ \}$ Yes $\{\ _{X}\ \}$ No	
If YES, an ADOT Driveway Permit is required. (See bottom page 4)	
18. Does this property contain drainages, creeks, wetlands, or other water features? $\{x\}$ No	
Does your lot abut salt water? { X}Yes { }No	
Have you or will you be using fill to develop your lot? { }Yes { }No	
(If you answered YES to any of the above three questions, you may need to contact the U.S. Army Corps of Engineers or	
other State agencies about additional permitting requirements Please see Planning staff for information.)	
19. Is this permit for a tax-exempt use? { }Yes { }No	
20. Has a Conditional Use Permit been issued? { }Yes { }No	
20. Has a Conditional Use Permit been issued? { }Yes { }No 21. Is this permit for a mobile building? { }Yes { }X }No	
Year Model Serial No	
22. Is your property within a Flood Plain or Coastal Zone? (see staff for interpretation)	
Elevation Certificate/Flood Hazard form attached	_

APPLICATION INFORMATION

Parking: Each residential dwelling unit must have at least two (2) vehicular off-street parking spaces. Parking is permitted in the setbacks. The number of parking spaces required for public, commercial, or industrial uses can be determined by consulting the Planning Department.

Water and Sewer: Applicants must obtain a water/sewer application from City Hall. Fees vary.

Sewage Disposal: All proposed sewage systems outside of City Limits (unrestricted district) must be designed by a registered professional engineer. The engineer must submit the proposed design to the Department of Environmental Conservation (DEC) for approval. A DEC "Certificate to Install" must be attached to the zoning permit application.

Site plan, Building Height, and Building plan: *Two copies* of a site, building height, and building plan, *drawn to scale* (1"=x'), must be submitted with the application. Plans must show all property lines, roads or water ways abutting the lot, the water tank, sewer lines, drain fields (if applicable), proposed setback distances, and parking areas. Plans should identify existing or proposed foundation location and extensions beyond the foundation, landings, decks, porches, and overhangs. Please include a building height (elevation) drawing. As-built surveys prepared by a licensed land surveyor to establish the location of existing improvements on the property must be submitted within 60 days of issuance of Zoning Permit. Building without an as-built survey is done at your own risk.

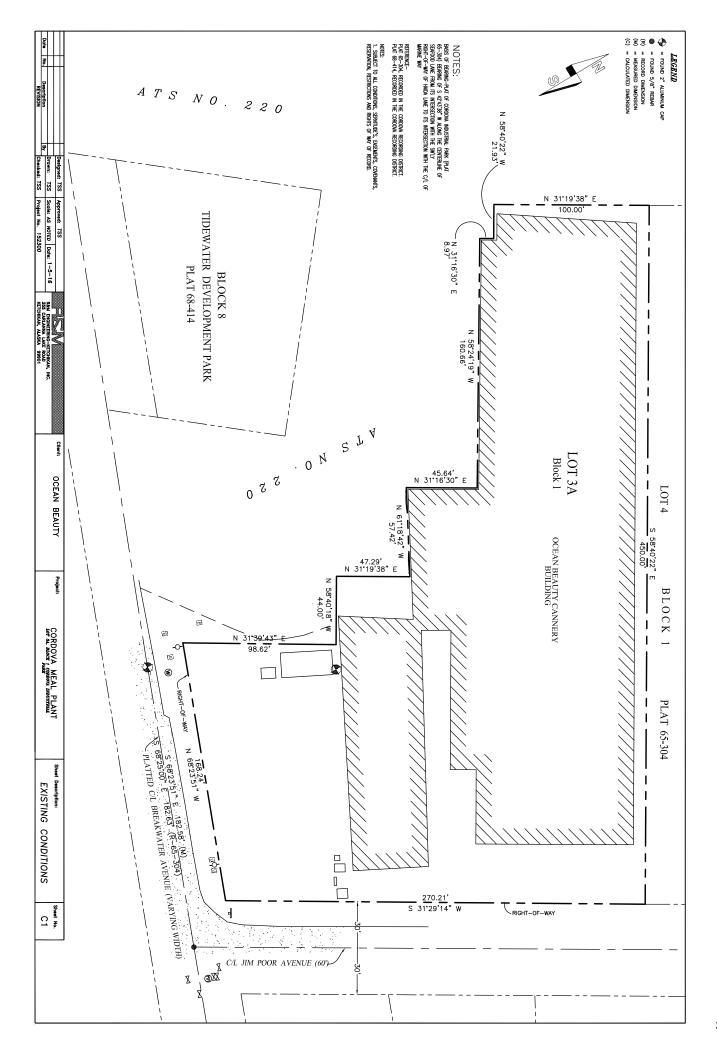
Snow and Wind loads: 150 lbs. per square foot ground snow load and 100 mph wind load

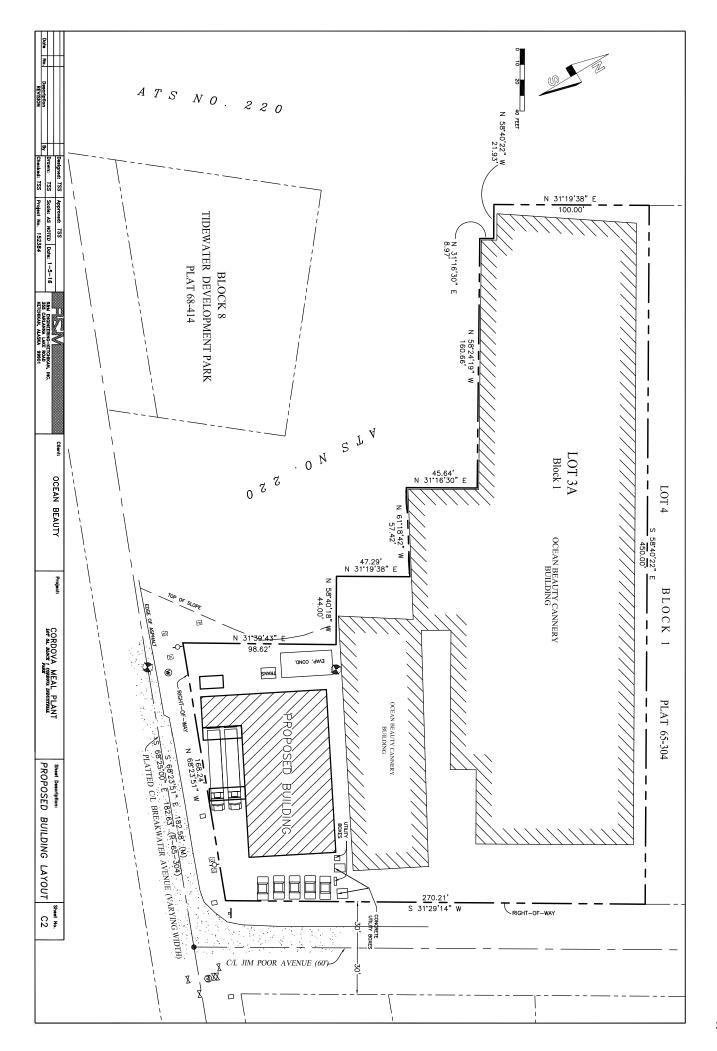
Lot and Yard Regulations: Cornices, canopies, eaves or other similar architectural features not providing additional floor space within the building may extend into a required yard not to exceed two ft.

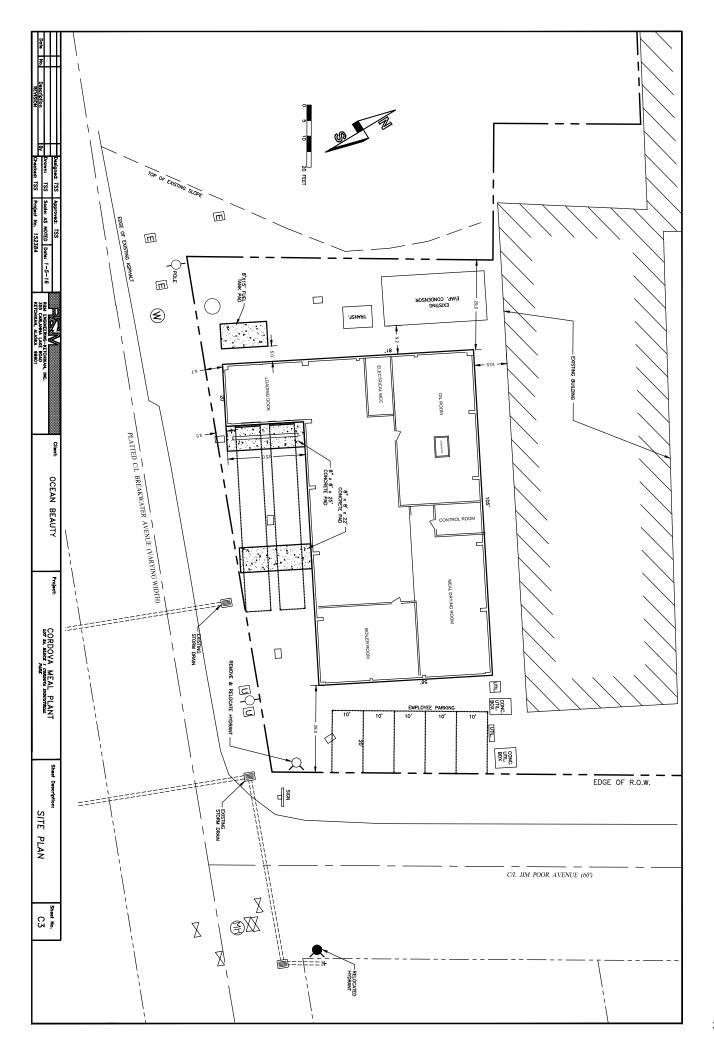
Seismic Zone: D

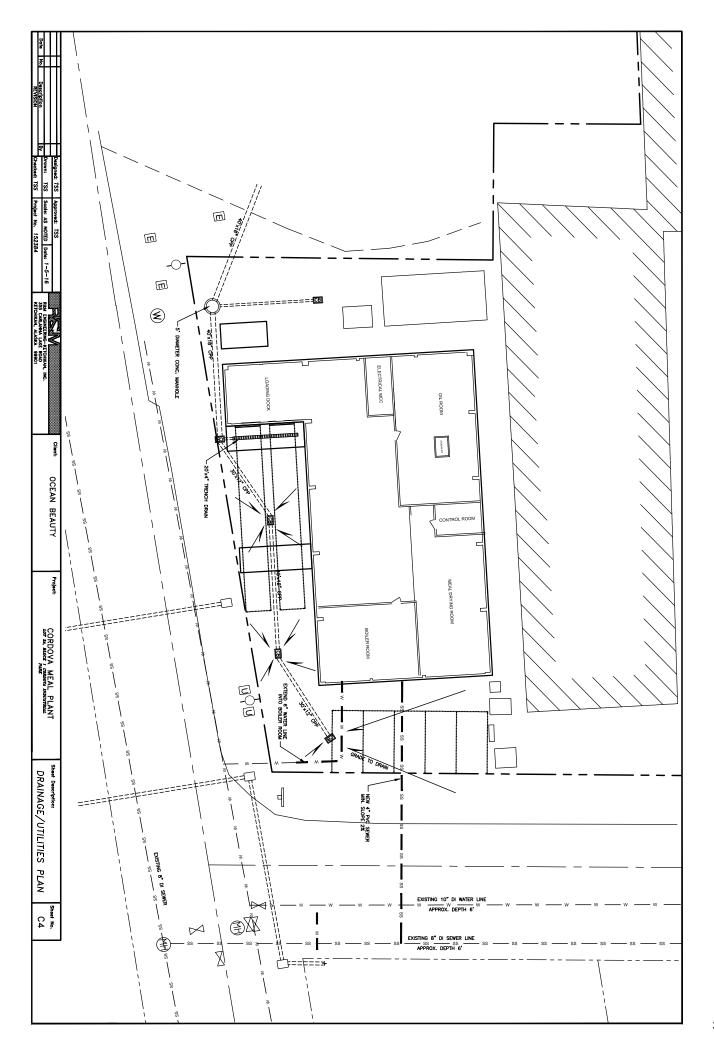
State-Owned Roads in Cordova

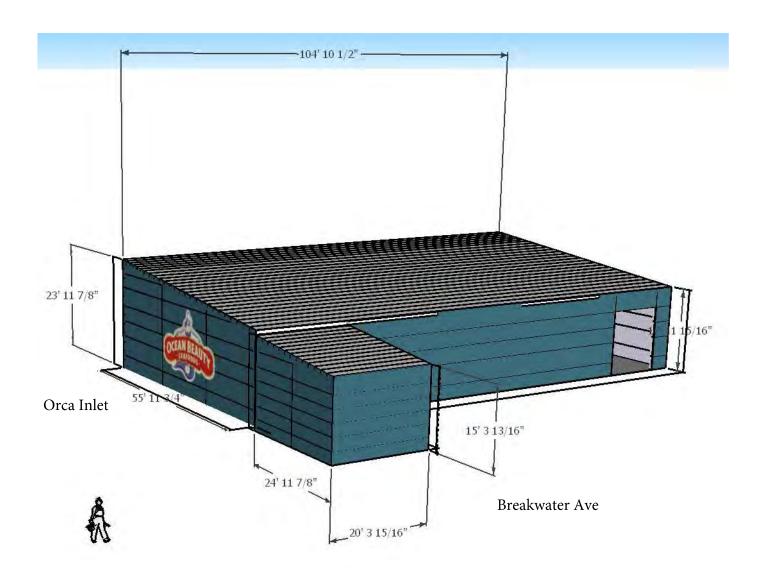
Lake Avenue
Power Creek Road
Copper River Highway/New England Cannery Road
Whitshed Road













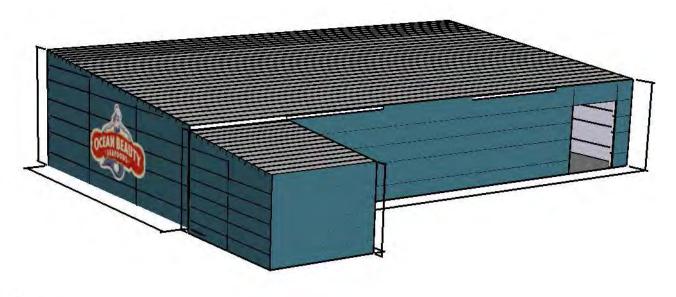


Jim Poor Ave

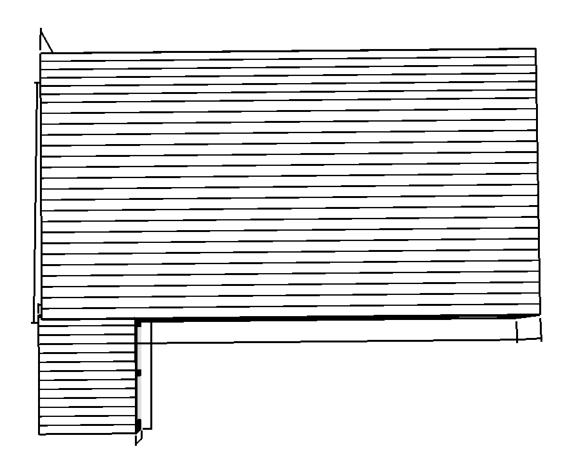




Orca Inlet







CODE ANALYSIS

Seafood Lane, Cordova Industrial park-commercial structure Cordova, AK 99574

International Building Code — 2009 Edition as adopted by the SOA facility for a community of the Code of the Code

OCCUPANCY
Commercial:

Total= 5,499 s.f. Level 1: Processing/Loading= 5,499 s.f.

Accessory/Mech/MW/Level 2 Elec:1,076 s.f. Total=6,575 s.f.

TYPE OF CONSTRUCTION

III. OCCUPANT LOAD Milovable Ht/Area per Table 503: 1 Non-Separated Uses per 302.3.1 Assumed FL 10 ft.from adjacent Structure, 0 HR FR, New Wall < 1 FT = 2 HR FR

Acc/Rst. Rms./Mech. 1,076 s.f.

7

55

Load

Processing FIRST FLOOR

Area 5,499 s.f.

Factor 100/s.f.

Exits: 2 Req/2 Provided

Total

55 55

 All work shall conform to all applicable codes, including the latest adopted editions of the IBC, IFC, IMC, IBC, IRC, UBC, UFC, UMC, UFC, NEC, and ADA Accessibility Guidelines. GENERAL NOTES

Comply with all provisions of the "International" codes as adopted by the State of Alaska. Indications responsing "Uniform" codes are for reference purposes only. Controstor and wrifty all site conditions and building dimensions prior to proceeding with the work.

y variation from the conditions and dimensions shown on the dowing shall be reported to the Owner
resolution prior to construction. Written dimensions take precedence ower socied dimensions,
wastern are to certified not columns or to face of transing, unless potenties or country.

The work consists of the construction of a single story pre-emphasered metal fish meal processing plant on concrete drundstions, with institution of equipment, new partitions, callings, buildheads, floor and well finishes, electrical wing and lighting and mechanical work within the space. The work does not increase in building area or parking requirements.

b. All contractors performing work under this contract shall obtain copies of the above referenced incurrent cand fully acquaint themselves with applicable provisions. Gluire to abtain copies shall not elees the contractor from full compliances. . The general conditions for the contract for construction, A.I.A. document A=201 shall be applicable oil portions of work performed under this contract as if here in bound.

Bidder Design, New lighting/eac, as indicated, Other electrical lighting and systems shall be introded at the electrical parel, with the exception of the toted lights and fors, and emergency things, Coordinate all power/lighting with amer/leannt. Provide necessary documentation to regulatory thorities and abotin necessary permits amer/leannt. Provide necessary documentation to regulatory

Mechanical contractor shall provide a logaut of the work including equipment and systems logaut and contrals; medianical work shall be exposed, located generally close to ceiling construction, Nature Contractor, Co-ordinate oil Work with Building Owner.

7. Metanical work under this proposal consists of providing a new boiler and processing sylemin (by) Owen() and domestic jumbing systems. Bidder design; occurrent as shot be authnitted for opproved by opening untrality prior to commercing the work and it he work must be comed out in the manner and times prescribed by the opening authority. Co-ordinate all times with Building hower. he owners representative, Stephen Peters Architects, without invalidating the construction contract, order eator work, after, dold to or deduct from the contract work. The contract sum and time will distant accordingly by written change and order, the awner may contract with others to perform one of the work under separate agreement.

b. All residents to contract for construction must be approved by Stephen Peters Architects by written brange order with cost and fine determined prior to commencement of the work. Aid did orders may be supply or a change in the work with cost and time issues to be determined at a later time at the police of Stephen Peters Architects. The contract shall modelable one (1) complete set of "except prints on the job site for mahabinopropert records. All contents made in the seven shall be occurredly recorded in each like thereon, longition of the project and prior to find payment the contractor shall desire the record set of the opposition of the project and prior to find payment the contractor, shall desire the record set of the project application of the project of all modelable, supplement and devices installed with the oremaining a mack, operations manuals and warranty information shall be provided with the remaining

Prior to summitting a bid oil subcontractors are responsible for validing and inspecting the alle didditions and reporting decomponies between the pions ord earling conditions to Stephen Peters shifteds for resolution prior to submitting bids Faiture to with the alte and inspect existing shifted about on tellers any contractor from compliance with the construction documents claims for didditional work due to existing conditions will not be acceptable.

12. All required inspections shall be obtained by the contractors including final use and occupancy permit.

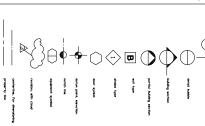
(The following apply unless shown otherwise on the plans—SEE STRUCTURAL Camply with all positions of the International codes as adopted by the State of Alaska. regarding "Uniform" codes are for reference purposes only.

3. Drewings indicate general and typical details of construction. Where conditions are not specifically indicated but are of smillar character to details shown, similar details of construction shall be used, subject to review and approval by the architect and the structural engineer. All materials, workmanship, design, and construction shall conform to the drawings, specifications the 2009 IBC. Conform to all Chapter 16 and 23 requirements. Contractor shall be responsible for all safety precautions and the methods, techniques sequences procedures required to perform the work.

Studs, Pates & Miscelloneous light froming: Douglas Fir / Hem-Fir Standard Grade Botted Studs, Ledgers and Plates Douglas Fir Standard Grade 2 x 4 Studs and Plates Douglas Fir / Hem-Fir Standard Grade 4. Wood framing lumber shall be kiin dried or MC-15, and graded and marked in conformance with MXLB. standard grading rules for West Coast Lumber No. 16, latest edition, furnish to the following tribinum standards:

Beams and headers DF/Hem Fir No.1 or better.

5/8" Type X





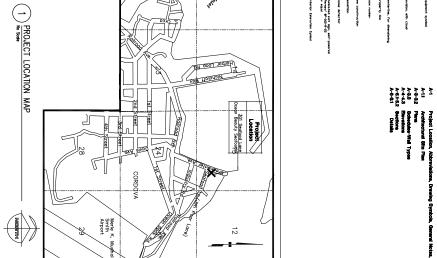
PARTICIPANTS

Ocean Beauty Seafoods 1100 West Ewing St. Seattle, WA 98107 301 Jim Poor Lane Cardova AK 99574 ARCHITECT

STEPHEN PETERS ARCHITECTS
702 Water Street
Ketchikan, Alaska 99901
(907) 247-7077
(907) 247-7076 FAX

LEGAL DESCRIPTION: Lot 1, Block 1, Plot 68-304, ATS 220 SEE CODE ANALYSIS ALSO ZONING INFORMATION

DRAWING INDEX





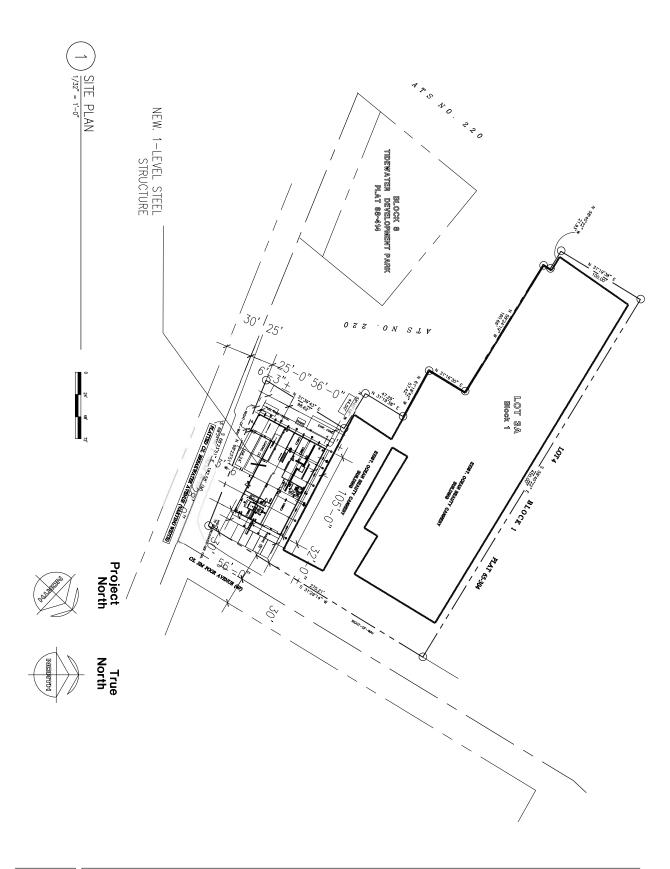
stephen peters architects



600 225 01043

A-1

Meal Plant Ocean Beauty Seafoods 301 Jim Poor Lane, Cordova, Alaska



A-1.1

Meal Plant
Ocean Beauty Seafoods
301 Jim Poor Lane, Cordova, Alaska

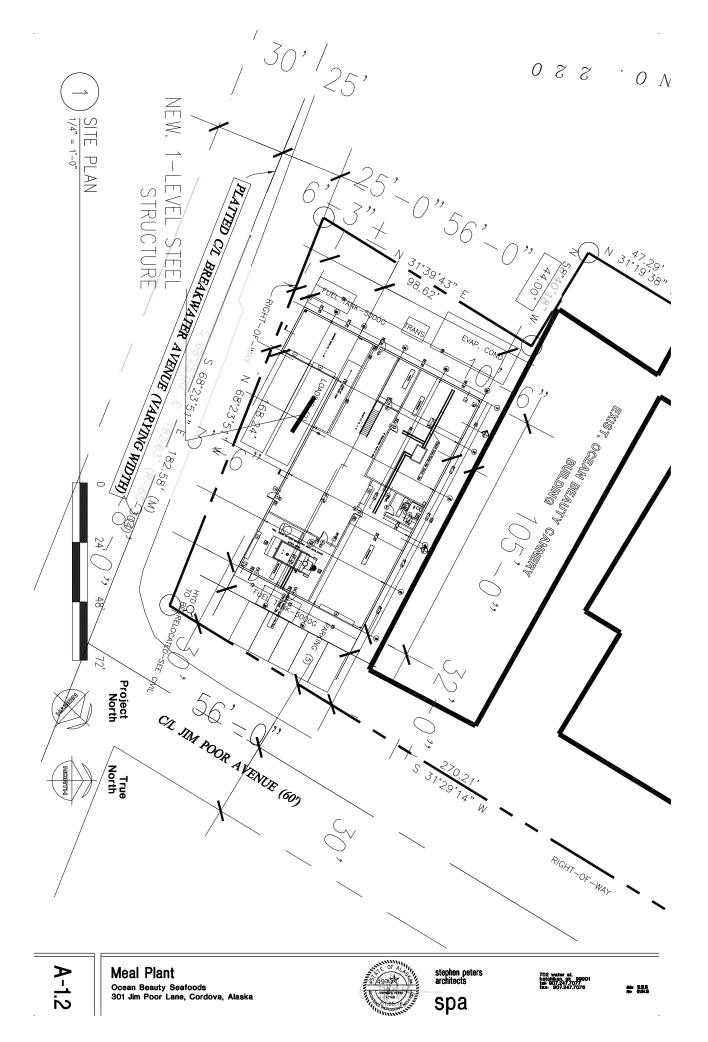


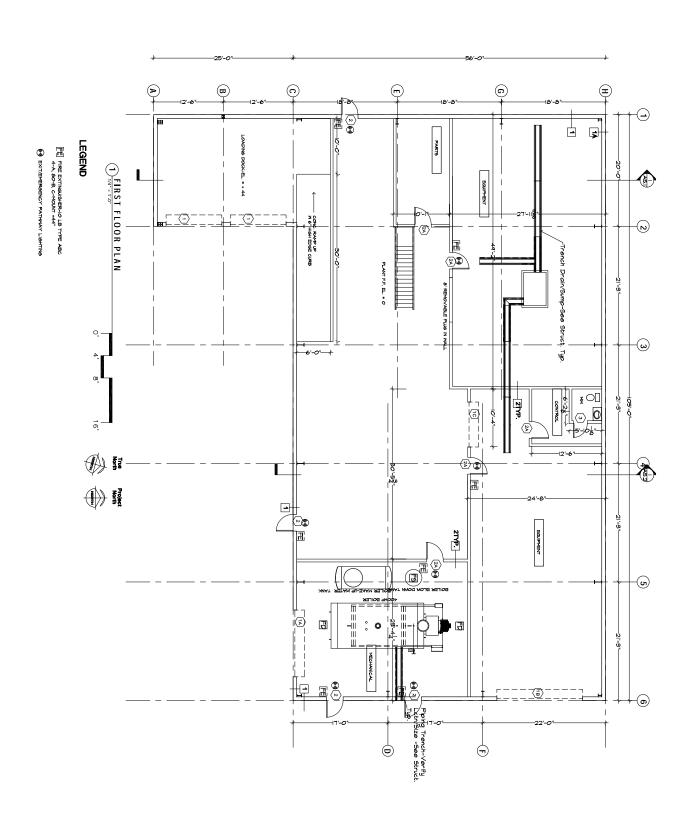
stephen peters architects

spa

702 water st. ketchiken, ek. 99801 tek 907.247.7077 fax: 907.247.7076

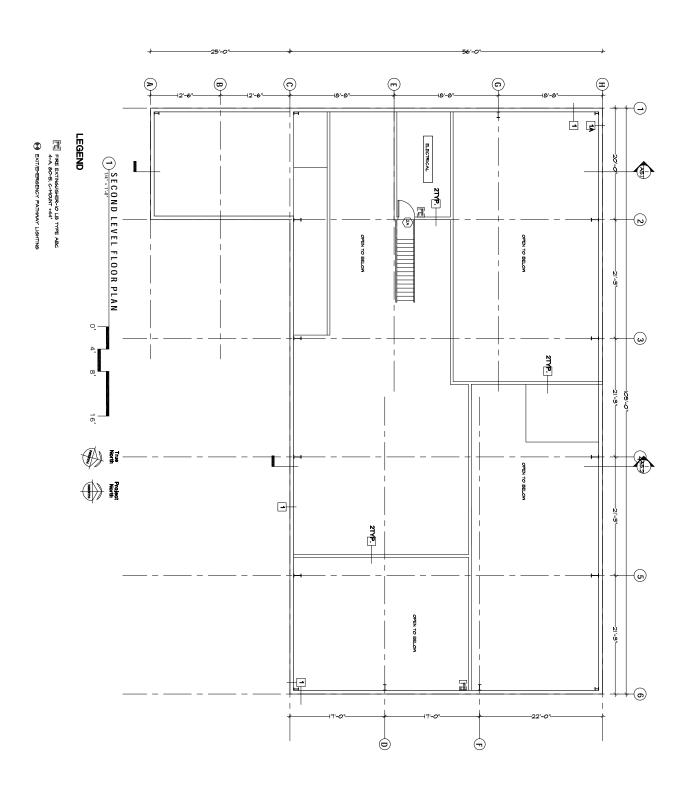
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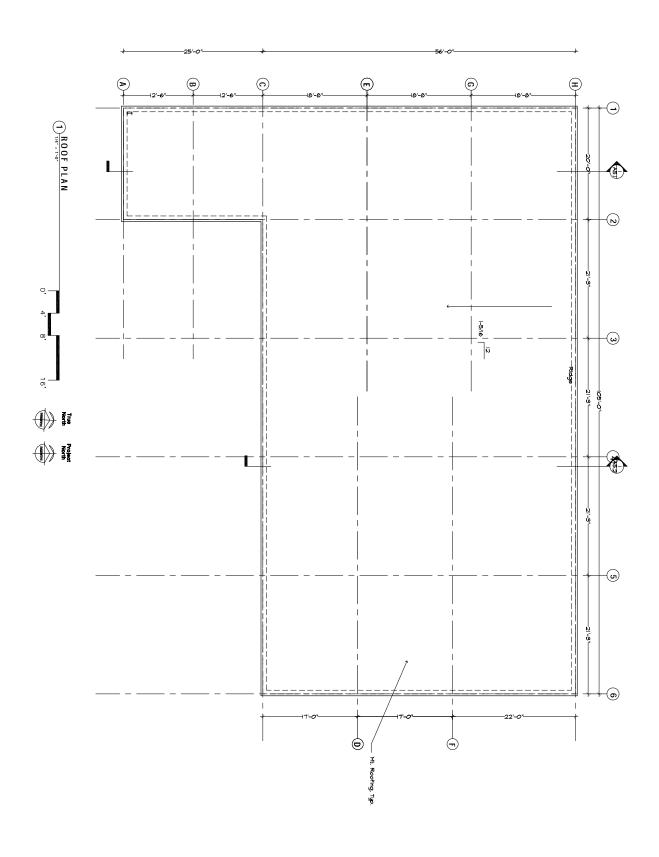




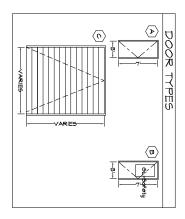


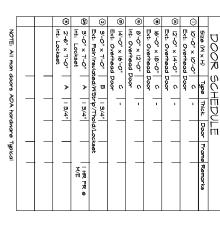
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301 Jim Poor Lane, Cordova, Alaska

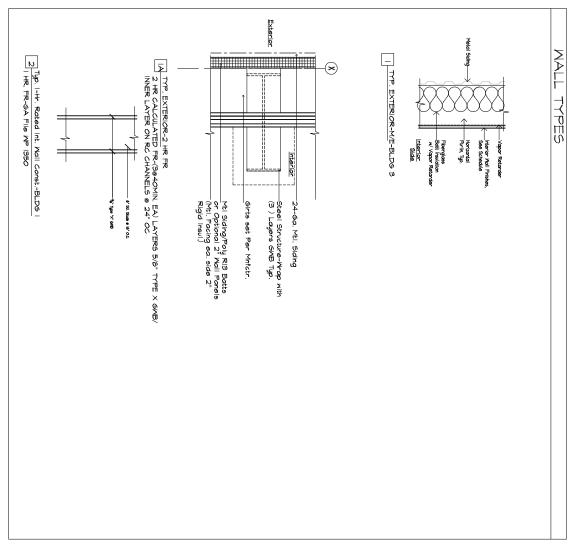
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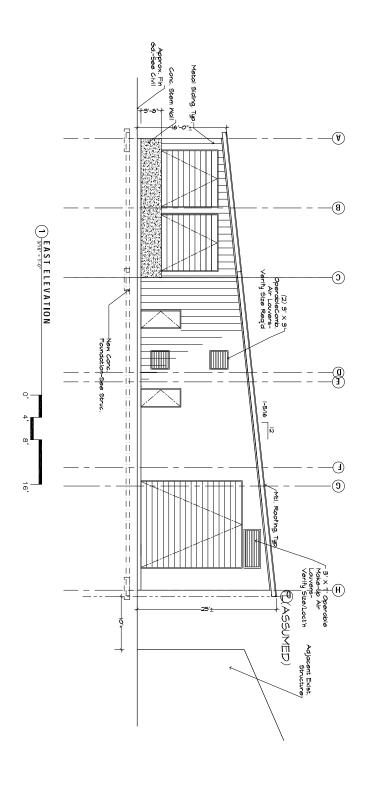








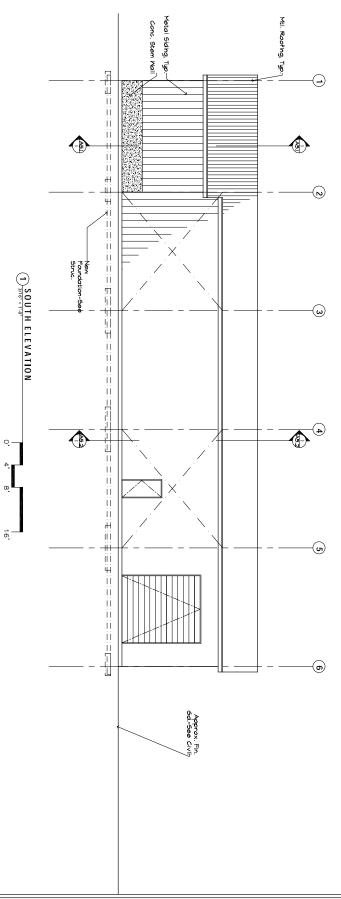




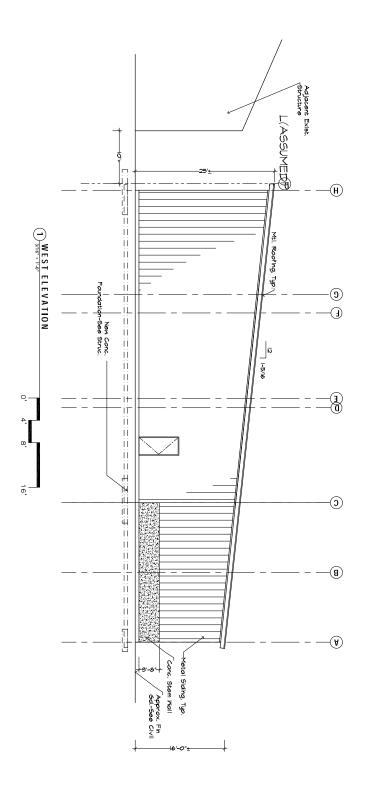


Meal Plant
Ocean Beauty Seafoods
301 Jim Poor Lane, Cordova, Alaska

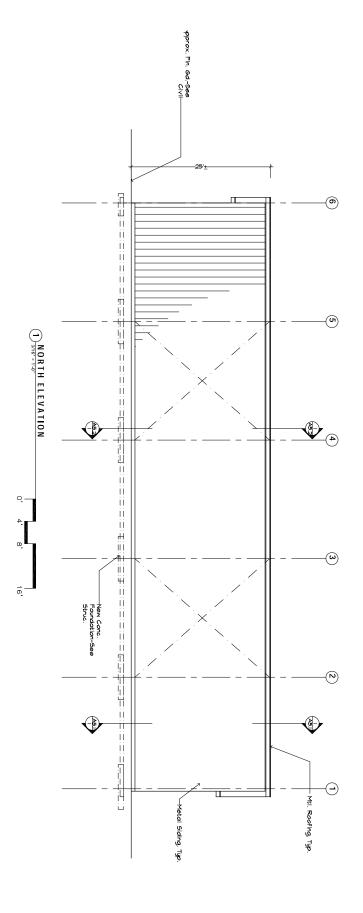
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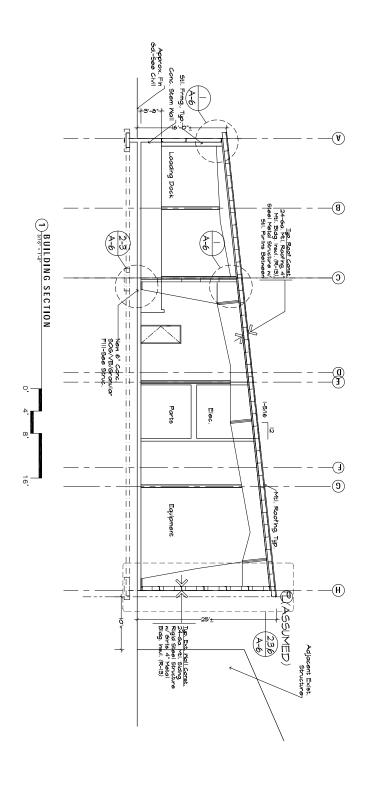




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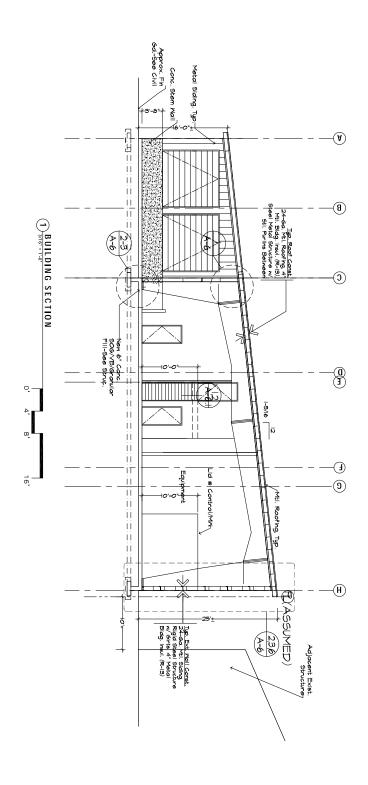






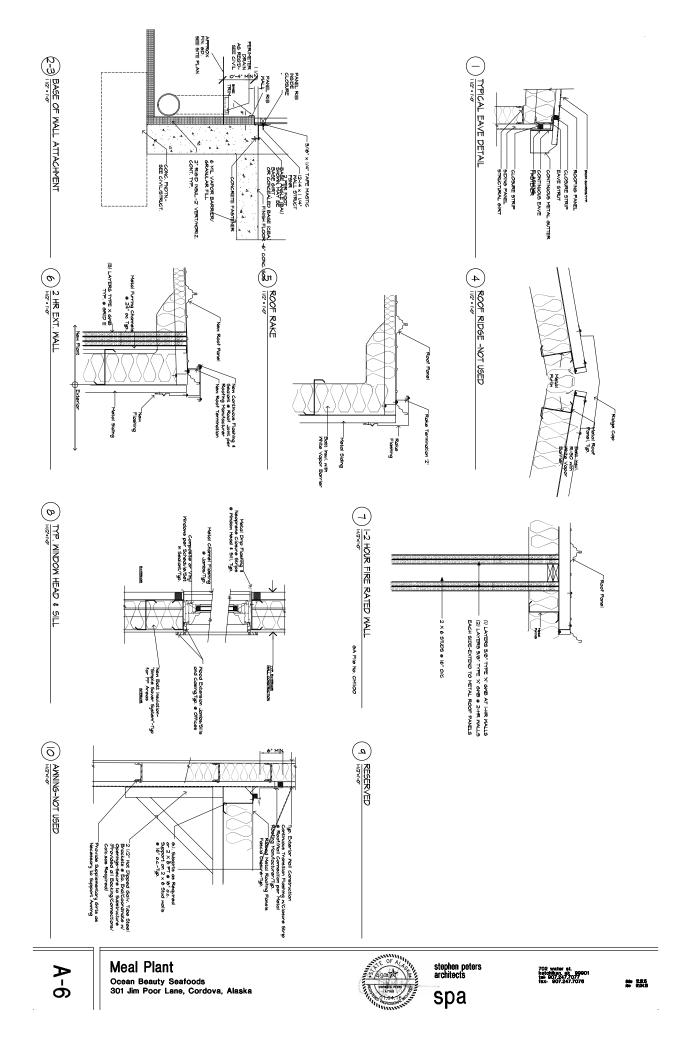
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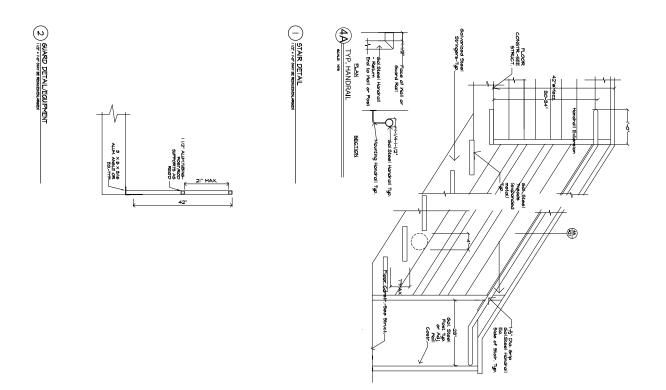
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Meal Plant
Ocean Beauty Seafoods
301 Jim Poor Lane, Cordova, Alaska





Memorandum

To: City Council From: Planning Staff

Date: 1/13/16

Re: Site Plan Review – Alpine Diesel

PART I – GENERAL INFORMATION

Requested Actions: Site Plan Review Applicant: Alpine Diesel

Owner Name: Jerry and Vicki Blackler Address: Boat Yard Haul Out

Legal Description: A portion of Tract 1A of the Ocean Dock Subdivision #2

Parcel Number: 02-052-304

Zoning: Waterfront Industrial District

Lot Area: 1.78 Acres, Lease Portion 8,640 sq. ft.

PART II – BACKGROUND

- 12/10/14 At the Harbor Commission Regular meeting Jerry Blackler proposed his idea to the Harbor Commission.
- 12/19/14 At the Harbor Commission Special Meeting, the commission passed Resolution 12-14-03 supporting the proposed idea of a repair and maintenance facility.
- 1/14/15 At the Harbor Commission Regular Meeting Jerry Blackler presented plans to commission
- 2/4/15 The Harbor Commission hand an on-site workshop in the shipyard with Jerry Blackler to review plans and location.
- 2/10/15 At the Planning Commission Regular Meeting, the commission recommended to City Council to make a portion of Tract 1A of the Ocean Dock Subdivision #2 Available. They also recommended to City Council to dispose of a portion of Tract 1A of the Ocean Dock Subdivision #2 by negotiating a lease agreement with Alpine Diesel LLC.
- 2/18/15 At the City Council Regular Meeting, the council made a portion of Tract 1A of the Ocean Dock Subdivision #2 available on the 2015 land disposal maps. Council also voted to put a portion of Tract 1A of the Ocean Dock Subdivision #2 out for proposals. Council directed staff to add these four criteria to the RFP: 1) A long term lease; 2) vessel maintenance building; 3) how applicant will comply with applicable environmental laws; and 4) how will the applicant indemnify the city for any liability.
- 5/19/15 At the Planning Commission Regular Meeting, the proposal from Alpine Diesel was discussed and recommend to City Council by a 7-0 vote.

- 6/3/15 At the City Council Regular Meeting, the recommendation from the Planning Commission was presented and the proposal was discussed. City Council directed the City Manager to enter into a 20 year lease agreement with Alpine Diesel LLC.
- 6/17/15 At the City Council Regular Meeting, the council approved the first reading of the Ordinance for the lease.
- 7/1/15 At the City Council Regular Meeting, the council approved the second reading of Ordinance.
- 1/12/16 At the P&Z Regular Meeting, the site plan for Alpine Diesel was approved with a special condition.

M/McGann S/Baenen to recommend to the City Council to approve the Site Plan Review requested by Alpine Diesel to construct a vessel maintenance facility on a portion of Tract 1A of the Ocean Dock Subdivision #2 based on the findings and with the special conditions as contained in the staff report.

M/Pegau S/McGann to amend the motion to add a special condition to establish the front setbacks as required by code.

Upon voice vote, motion to amend passed 7-0.

Yea: Bailer, McGann, Pegau, Baenen, Roemhildt, Frohnapfel, Kocan

Upon voice vote, main motion passed 7-0.

Yea: Bailer, McGann, Pegau, Baenen, Roemhildt, Frohnapfel, Kocan

Below are the special conditions for the Alpine Diesel site plan. The discussion at the meeting included the Harbormaster, Alpine Diesel and P&Z about the front setback. There was agreement amongst the parties that adding an additional 20 X 122 feet of leased space would satisfy the front setback requirement. The lease Ordinance 1132 which was passed July 1st, 2015, includes Section 2 which empowers the City Manager to make the changes in order execute the lease. The square footage of the lease will be adjusted and the lease rate will be adjusted by the price per square foot in the current contract. Alpine Diesel was at present at the meeting and understands these terms.

- 1. The Planning Department must be in receipt of an approved Plan Review from the State of Alaska Fire Marshal prior to issuance of a Building Permit.
- 2. To establish the front setbacks as required by code

At this time, City Council will vote on whether or not to approve the attached Site Plan Review Application from Alpine Diesel.

PART III – REVIEW OF APPLICABLE CRITERIA & SUGGESTED FINDINGS

Chapter 18.33 ZONING – WATERFRONT INDUSTRIAL DISTRICT

The development of vessel maintenance building is a permitted use in this district. A Site Plan Review is required in the Waterfront Industrial District.

Section 18.42.010 ZONING – SITE PLAN REVIEW – Purpose.

Whenever required by this code or the city council, a site plan review shall be completed by the planning commission with a recommendation to the city council. Prior to the issuance of a building permit, the city council must approve the site plan for the project.

The site plan to be submitted as required herein shall contain the following information. If any of the information requested herein is not applicable to a given project, the reasons for the non-applicability of the information requested shall be stated in the site plan:

- 1. Name, address and phone number of owner/developer;
- 2. Legal description of property;
- 3. A scale of not less than 1'' = 20';
- 4. Date, north point and scale;
- 5. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties;
- 6. The zoning and siting of all structures on the subject property and abutting properties;
- 7. The location of each proposed structure in the development area, the use or uses to be contained therein, the number of stories, gross building area, distances between structures and lot lines, setback lines and approximate location of vehicular entrances and loading points;
- 8. The location of all existing and proposed drives and parking areas with the number of parking and/or loading spaces provided and the location and right-of-way widths of all abutting streets;
- 9. Location and height of all walls, fences and screen plantings, including a general plan for the landscaping of the development and the method by which landscaping is to be accomplished and be maintained;
- 10. Types of surfacing, such as paving, turfing or gravel to be used at the various locations;
- 11. A grading plan of the area demonstrating the proposed method of storm drainage;
- 12. Size and location of proposed sewer and water lines and connections;
- 13. Front and side elevations of proposed structures;
- 14. Exterior finish and color.

Attached are the Site plan drawings and application.

Chapter 18.48 ZONING - OFF-STREET PARKING, LOADING AND UNLOADING

Manufacturing uses require "One parking space for every one thousand square feet of gross building area."

The attached drawings show 12 parking spaces 10 feet wide by 24 feet long. The gross floor space is 8,640 square feet.

Chapter 18.33.060 Setbacks

- A. Minimum Setbacks.
- 1. Front yard-Twenty feet.
- 2. Side yard and rear yard: subject to Uniform Building Code regarding fire walls and separation of buildings.

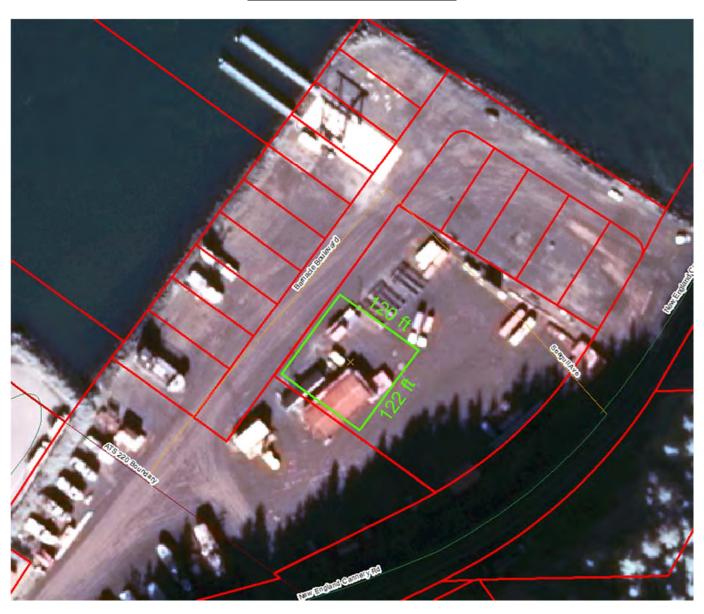
PART IV – SUGGESTED SPECIAL CONDITIONS

- 3. The Planning Department must be in receipt of an approved Plan Review from the State of Alaska Fire Marshal prior to issuance of a Building Permit.
- 4. Alpine Diesel will lease an additional 20 by 122 feet from the city on the eastern side of the building to encompass

PART V – SUGGESTED MOTION

"I move to approve Resolution 01-16-05"

<u>Attachment A – Location Map</u>



CITY OF CORDOVA, ALASKA RESOLUTION 01-16-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, APPROVING THE SITE PLAN OF ALPINE DIESEL TO CONSTRUCT A 8,640 SQUARE FOOT VESSEL MAINTENANCE BUILDING ON A PORTION OF TRACT 1A, OCEAN DOCK SUBDIVISION

WHEREAS, Alpine Diesel has submitted a Site Plan Review for the construction of a 72 X 120 building with a total square footage of 8,640; and

WHEREAS, Alpine Diesel has been through the City Land Disposal process and negotiated a lease for the land; and

WHEREAS, per Cordova Municipal Code Sub-section 18.42.020.A. planning staff shall submit copies of the site plan "to the city council at its next regularly scheduled meeting for action;" and

WHEREAS, the Site Plan has been reviewed by the Planning Commission and is being forwarded to City Council with the following special conditions in place:

- 1. The Planning Department must be in receipt of a Plan Review from the State of Alaska Fire Marshal prior to issuance of a Building Permit.
- 2. Front setbacks will be established as required by code.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Cordova, Alaska hereby approve the Site Plan from Ocean Beauty Seafoods, LLC to construct two buildings for a total of 5,400 sq. ft. industrial building on Lot 3A, Block 1, Cordova industrial Park.

PASSED AND APPROVED THIS 20th DAY OF JANUARY, 2016.

	James Kacsh, Mayor			
Attest:				
	Susan Bourgeois, CMC, City Clerk			

ALPINE DIESEL LLC

JERRY BLACKLER, owner PO BOX 605 CORDOVA AK 99574 907-424-7664 907-424-7564 fax docblack@ctcak.net

Vessel Maintenance Building Additional information:

The container vans will be welded to concrete piling that has been buried horizontally 3' in the ground and welded together at all joints.

Liner - After the vans are in place and the cover is on we will excavate in between the vans. A Geotech fabric will be laid down and then a Poly-Urea coating will sprayed on that. Once cured it will be covered with gravel forming a water tight seal.

Drainage – The elevation at the cleaning pad is +18'. The current elevation at proposed site is +20'. This information was found on the PND boat haulout facility plans. The water currently drains to the north and east. Jerry will monitor the monitor any additional water run-off and will work with Tony (harbormaster) if any additional fill or grading is needed.

Snow removal - We have our own equipment and will keep area cleaned.

Utilities – Electricity will come from New England Cannery Road, Clay Koplin has informed us that CEC may be doing upgrades in that area this summer.

Water & Sewer – This will come from the City lines that are in that area.

During the construction we will be working out of the container vans that are the bases for the canopy.

The canopy will be white, most of the vans are brown and the ones that aren't will be painted brown in the spring/summer.

We plan to start in mid-January by clearing out the dead boats that are currently on property. We will work with the harbormaster on this phase. The next phase will be to excavate and place the concrete pilings and place container vans. Once the canopy arrives it will be installed on top of containers.

SITE PLAN REVIEW - ZONING APPLICATION CITY OF CORDOVA

INSTRUCTIONS

Print or type requested information. Incomplete applications will be returned to the applicant and will delay the processing of your request. All applications must be filed with the Planning Department 21 days prior to the next Planning Commission meeting date.

	TYPE OF REQUEST	FEE
	Site Plan Review	varies
	Residential	\$50
	Multi-Family	\$100
	Commercial	\$150
X	Industrial	\$200

	APPLICANT INFORMATION
Name	JERRY & VICKI BLACKLER
Address	921 CENTER DRIVE POBOX 605
Telephone [home]	907-424-7664
Business Name	ALPINE DIESEL LLC
Business Address	2000 WHITSHED RD.
Telephone [business]	907-424-7664
Business FAX	907.424-7564
Project architect/engineer	SELF
Address of architect/engineer	
Telephone of architect/engineer	

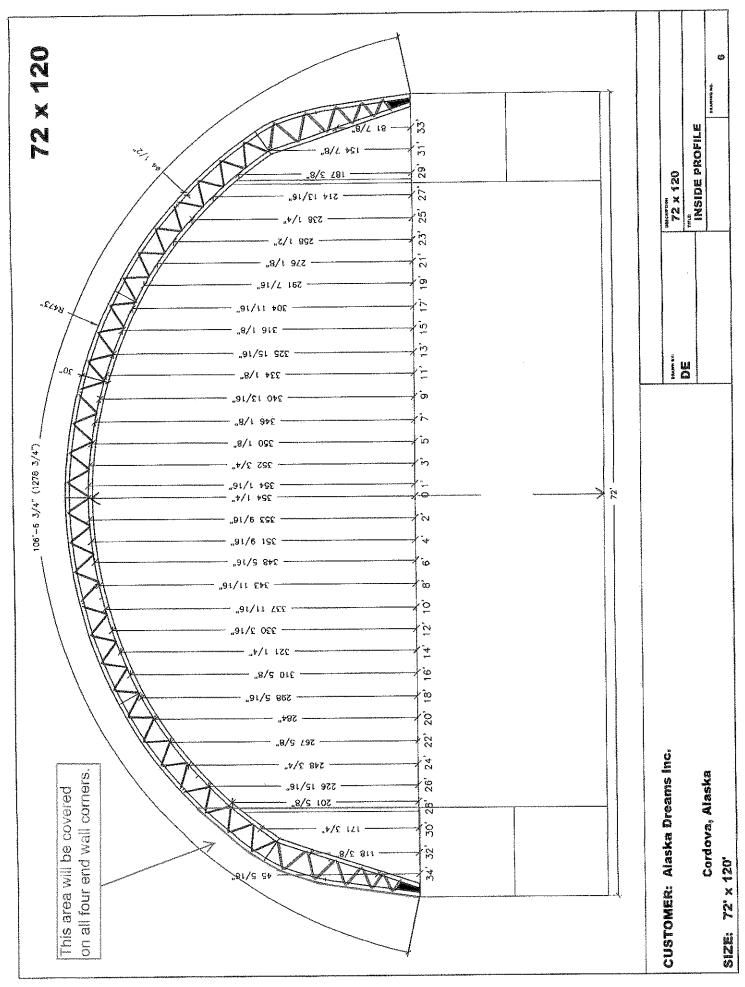
	PROPERTY/PROJECT INFORMATION
Address of subject property	SW PORTION OF TRACT LA-OCEAN DOCK SUB. #2
Parcel identification number	02-052-304
Property owner [name/address]	CITY OF CORDOVA
Current zoning	WATERFRONT INDUSTRIAL
Proposed use	VESSEL MAINTENANCE BUILDING
Construction start date	JANUARY 2016
WAA	

SI	TF	Dί	ΔN	RE\	/IEW	18	42

A zoning compliance permit for property within the City of Cordova expires eighteen (18) months after the date it is issued. Excavation is not considered construction.

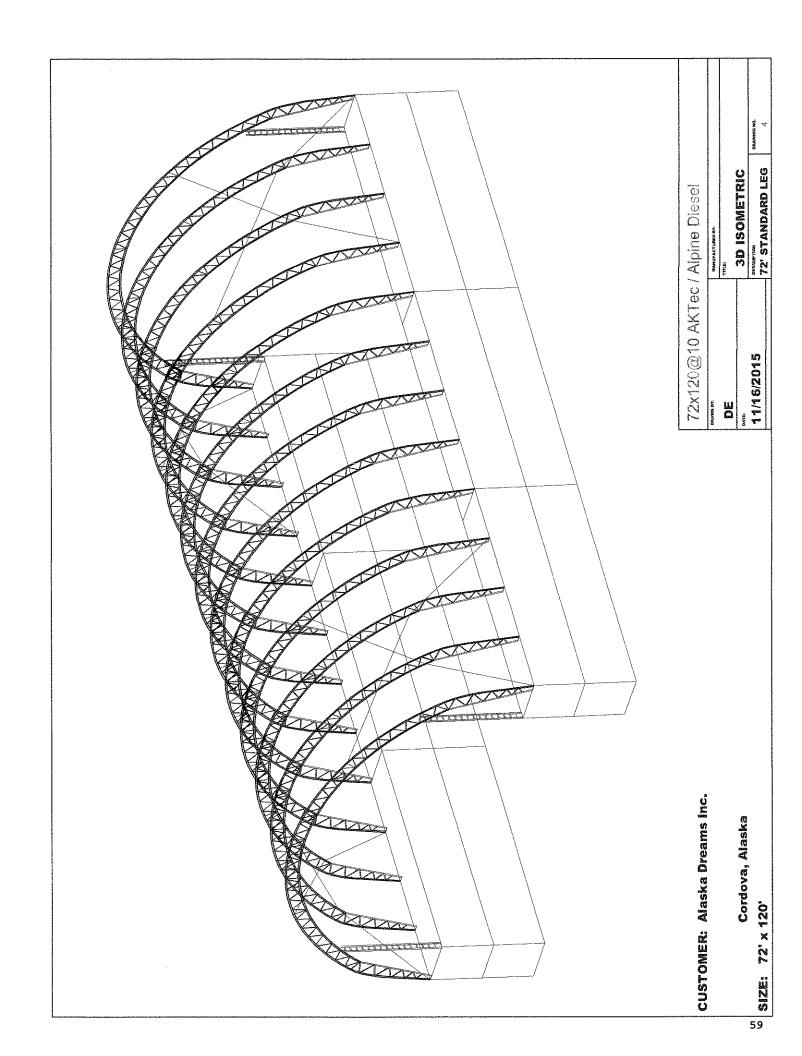
1. Please describe the proposed construction/alteration and intended use: CANOPY ON 40'					
CONTRACTO MAINTENANCE BUILDING					
2. Please give dimensions and square footage of construction: 72' × /20'					
 Intended use: { }Single Family { }Duplex { }Multilathily { > }Contine classification 					
{ }Home Occupation (describe) { }Mobile Building { }Change of use					
4. No. of Living Units: 5. No. of Bedrooms:					
7. Is there a new: { }Garage? { }Carport? Is it attached to the residence? { }Yes { }No					
8. Is there an apartment above the garage? { }Yes { }No					
6. Has a variance been granted? { }Yes { }No 7. Is there a new: { }Garage? { }Carport? Is it attached to the residence? { }Yes { }No 8. Is there an apartment above the garage? { }Yes { }No 9. Off-street parking: Existing O Proposed 9 10. Required Setbacks: Front 20' Left Side O Right side O Rear O Height N/A					
10. Required Setbacks: Front 20' Left Side O Right side O Rear O Height N/A					
11. Proposed Setbacks: Front Left Side Right side Rear Height					
12. Sewage Disposal:					
{ }Private marine outfall: {×}Existing { }New Specify owner/location:					
{ }Private on-site sewer: { }ADEC Certification Attached					
NOTE: Property owners with a private system need an ADEC permit showing sewer system is operational before Permit					
can be issued. Please contact ADEC at (907) 225-6200					
13. Water supply: { }Cistern (show on site plan) {X}City					
14. Is the construction occurring on a grandfathered structure (build prior to August 7,1967)? _\(\infty\)O					
15. Is there a building currently on the property? { }Yes {\chi}No					
If YES, an As-built survey must be attached.					
16. Which licensed surveyor will be doing your foundation/as-built Survey?					
17. Is your driveway exit and adjoining roads shown on the site plan? {X}Yes { }No					
Are you building a new driveway that exits onto a State road or highway? { }Yes {X}No					
If YES, an ADOT Driveway Permit is required. (See bottom page 4)					
18. Does this property contain drainages, creeks, wetlands, or other water features? { }Yes {X}No					
Does your lot abut salt water? { }Yes {X}No					
Have you or will you be using fill to develop your lot? { }Yes {X}No					
(If you answered YES to any of the above three questions, you may need to contact the U.S. Army Corps of Engineers or					
other State agencies about additional permitting requirements Please see Planning staff for information.)					
19. Is this permit for a tax-exempt use? { }Yes {★}No					
20. Has a Conditional Use Permit been issued? { }Yes {X }No					
20. Has a Conditional Use Permit been issued? { }Yes {X}No 21. Is this permit for a mobile building? { }Yes {X}No					
l Year Model Serial No					
22. Is your property within a Flood Plain or Coastal Zone? (see staff for interpretation)					
Elevation Certificate/Flood Hazard form attached					

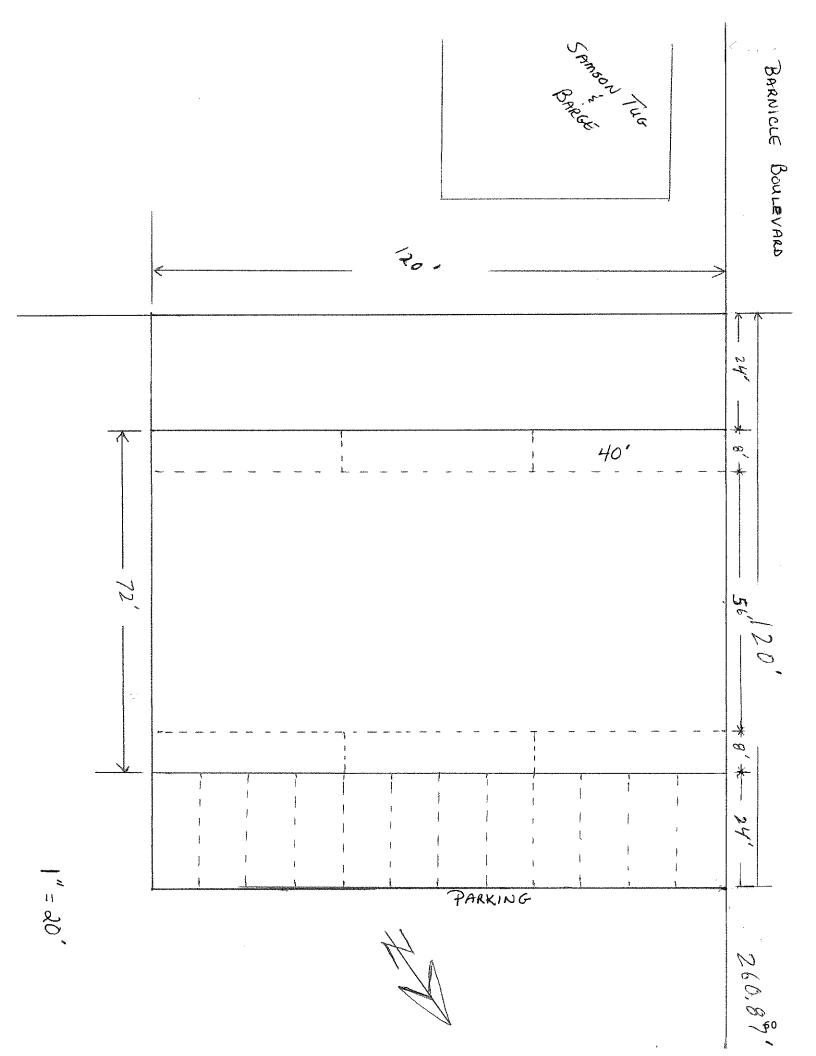
ZONING APPLICATION				
Owner of property (if different than applicant). If multiple owners, list names and addresses of each and indicate ownership interest. Attach additional sheet if necessary.	CITY OF CORDOVA			
Real Estate Firm/Broker handling sale of property. Provide name and address. Note : If you do not own the property, you must provide a copy of a Purchase Agreement or instrument acceptable to the city indicating the owner is fully aware of, and in agreement with, the requested action.	· · · · · · · · · · · · · · · · · · ·			
City Business License Permit Number (if applicable)	1891			
APPLICANT CE	RTIFICATION			
By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate. Furthermore, I (we) hereby authorize the City and its representatives to enter the property associated with this application for purposes of conducting necessary site inspections. By:				
CITY USE ONLY - PLEASE DO N				
ITEM	ACTION			
Date application received:				
Fee paid:				
Does application require a public hearing? Planning Commission: City Council:				
Staff review date/reviewer name:				
Planning Commission final action:				
City Council final action:				
Other:				

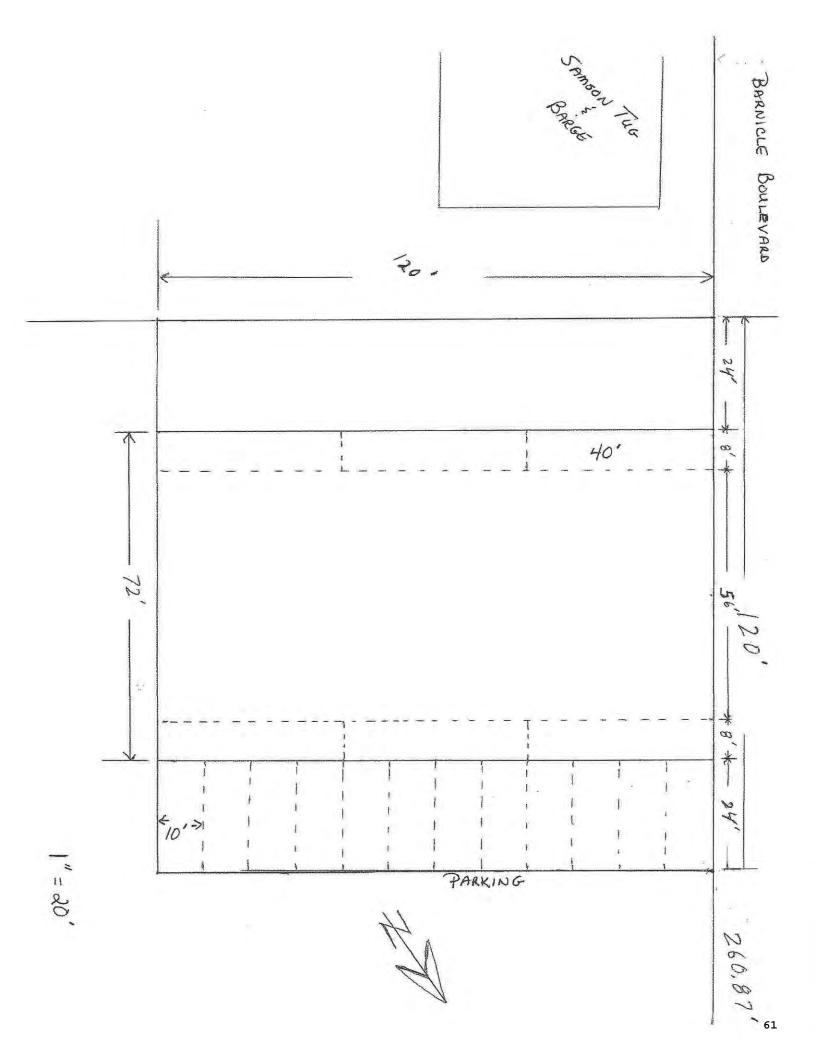


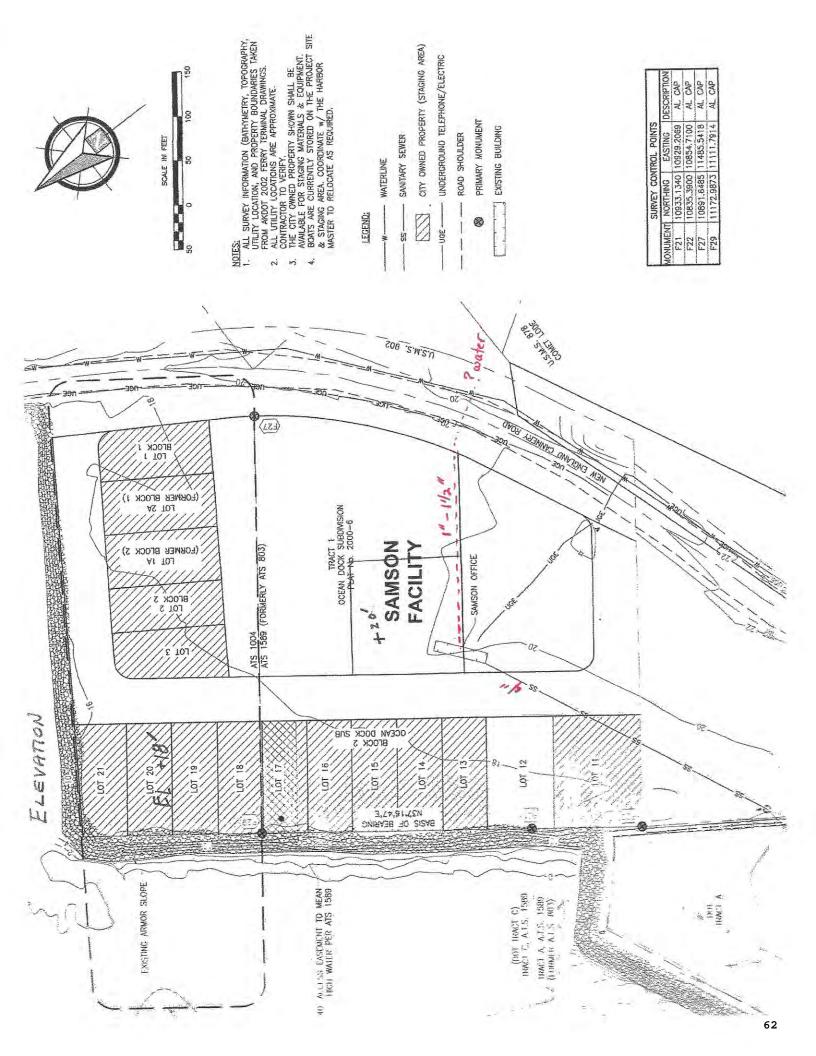
End Wall #1:

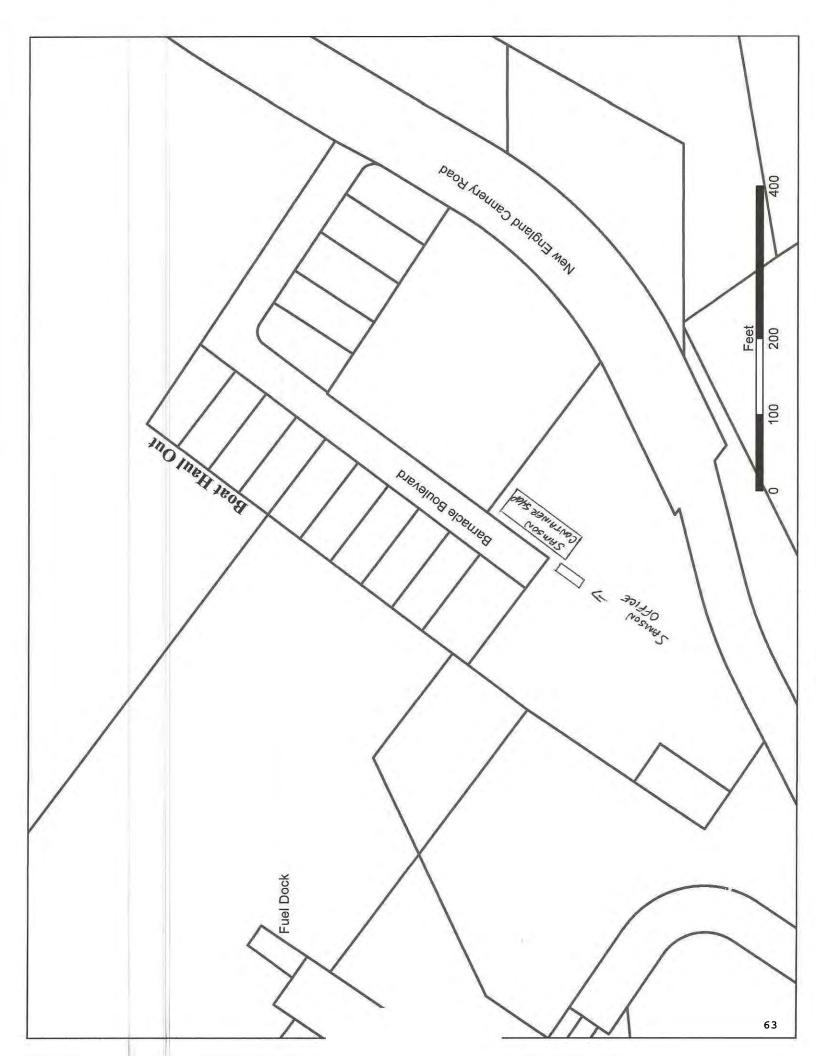
* ALL SOINTS WELDED

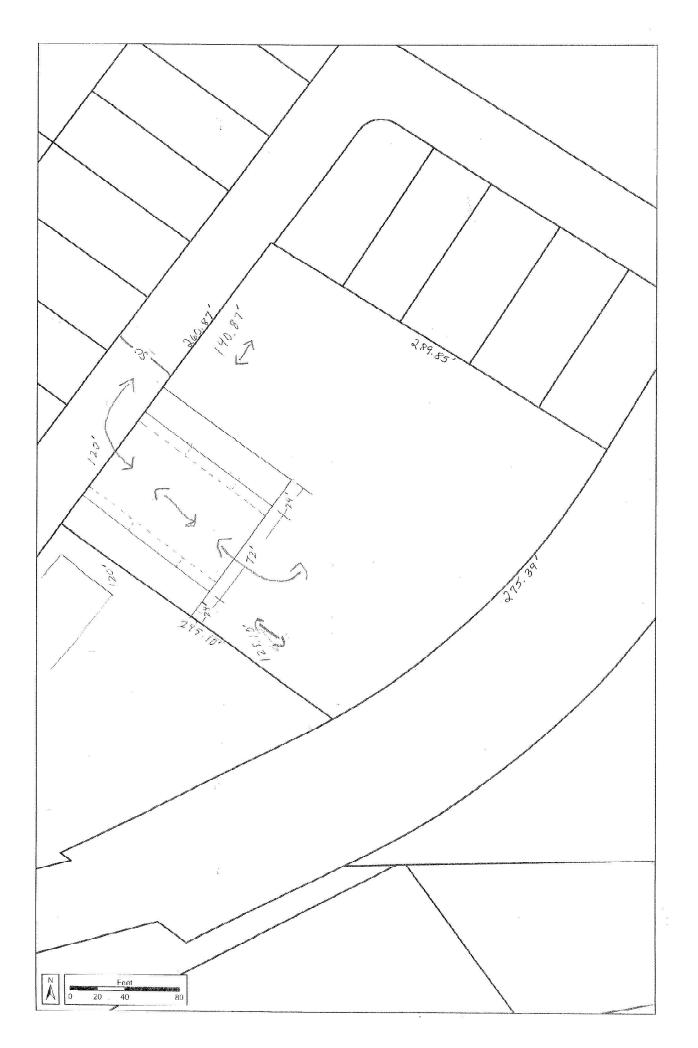


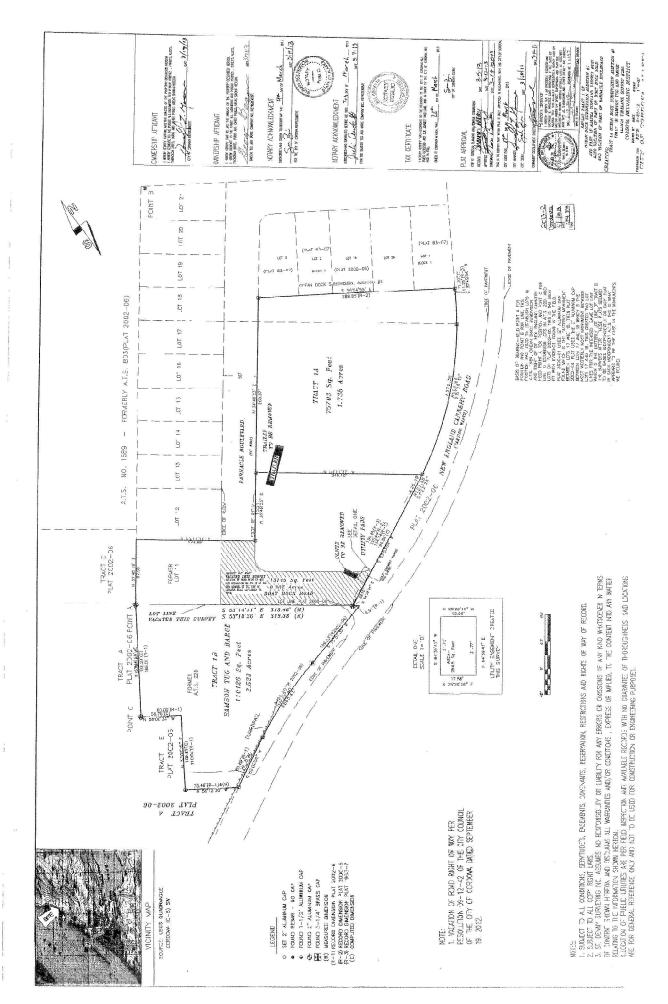












City Council Public Hearing January 6, 2016 @ 6:45 pm Cordova Center Community Rooms A & B Minutes

A. Call to order

Mayor James Kacsh called the Council public hearing to order at 6:45 pm on January 6, 2016, in the Cordova Center Community Rooms.

B. Roll call

Present for roll call were *Mayor James Kacsh* and Council members *Kristin Carpenter*, *Tom Bailer*, *Josh Hallquist* and *James Burton*. Council member *Tim Joyce* was present via teleconference. Also present were City Manager *Randy Robertson* and City Clerk *Susan Bourgeois*.

C. Public hearing

1. Resolution 01-16-01

A resolution of the City Council of the City of Cordova, Alaska, adding a section and correcting the wording within a section of the 2016 fee schedule approved as Resolution 12-15-51 on December 16, 2015

Mayor Kacsh opened the hearing up for public comment on either of the resolutions. *Mayor Kacsh* asked if there was any public comment and there was none.

M/Burton S/Bailer to recess the public hearing at 6:47pm until 6:55 pm. Hearing no objection, the Public Hearing was recessed until 6:55 pm.

At 6:55 pm *Mayor Kacsh* called the public hearing back to order and asked if there was any further public comment. There was none.

D. Adjournment

M/Burton S/Hallquist to adjourn the Public Hearing				
Hearing no	objection, the Publ	ic Hearing	was adjourned at 6:56 pm	
Approved:	January 20, 2016			

Susan Bourgeois, CMC, City Clerk

Members of the Cordova City Council,

Please bear with me as I provide a brief history:

In January of 2005, Cordova City (COC) staff approved a subdivision plat for the "Forest Heights Subdivision", commonly referred to as "Wilson's Subdivision", which is located near mile 2 of the Copper River Hwy.

One of the lots located at the east end of Forest Heights Subdivision has a small stream bisecting the lot. The developer of the subdivision channeled the stream into a 2' diameter galvanized steel culvert. The culvert in question begins its underground journey within the street right-of-way on the uphill side of Woodland Dr. before flowing under Woodland Dr., ...then under lot #8 on the downhill side of Woodland Dr. before finally re-surfacing from the culvert on the uphill side of Mt Eccles Estates.

When COC staff approved the subdivision plat in 2005, there was no easement or right-of-way established for the stream in question. It is my opinion as well as that of my legal council that COC staff made a serious error in approving the subdivision plat in 2005 without requiring the developer to deal with the stream in question. (See Sec. 17.08 Muni Code).

Some Council members may recall that this same stream eroded the ground beneath a home in Mt Eccles Estates some years back, just a quarter mile to the north of lot #8. The mitigation of THAT erosion cost the COC dearly, and the lot remains unbuildable to this day.

I purchased lot #8, FHS, from a private party in 2008 with the intention of building a home there. And in fact, I did live on the property in a mobile home from approx. 2008-2012.

More recently, as I began designing a permanent home for the property, I inquired with current COC planning staff about what the COC could do to mitigate the risk of stream erosion under my future home. In response to my inquiry to COC planning staff, I received a letter dated July 29, 2015 (attached), telling me they intend to declare an easement across the middle of the property through adverse possession. So rather than accept that COC staff erred in accepting the subdivision plat in 2005, COC staff and management have chosen to declare an easement 10 years later, ...in essence making the property worthless as a home site.

If COC's position on the issue is not reversed, the value of the lot is substantially diminished as it's best use may be as just another permanent storage yard for boats and trailers, as has occurred on a nearby lot. The cost of COC defending such a position in court would also likely exceed the cost of re-routing the stream.

Alternatively, if COC's accepts their error and funds the re-routing of the stream, their investment will likely be returned quickly through the taxation of a new home in the subdivision.

Re-routing the stream in HDTP culverts along Woodland Dr. is a logical solution; or even re-routing the stream to the east of the subdivision may be a viable option. I would also be willing

to grant the COC an easement along the edge of the lot in question, if the COC is willing to absorb the anticipated 15-20K in associated costs of re-routing the culvert with HDTP culvert.

And so, Council members, my request is that you direct the City Manager to promptly find a solution that will allow for the highest tax revenue and best use of this property, even if it requires a monetary investment by the COC.

Thank you for your attention to this matter.

Sincerely,

July Podregue

Tony Rodrigues P.O. Box 163 Cordova, AK 99574

CITY_OF_CORDOVA



July 29, 2015

Anthony Rodrigues P.O. Box 163 Cordova, Alaska 99574

RE: Culvert Relocation Request on Lot 8, Block 1 Forest Heights Subdivision

Dear Mr. Rodrigues:

The City of Cordova, Alaska ("City") received your request for relocation of the culvert located on Lot 8, Block 1, Forest Heights Subdivision, 826 Woodland Drive, 02-086-315 (the "Property"). After reviewing records regarding the installation of the culvert and the purposes it serves, the City has determined that the culvert was installed by the owner of the Property at or around the time the Forest Heights Subdivision was created as early as 1996, but no later than January 2005. Therefore, the City does not own the culvert nor is it responsible for its relocation.

That said, the culvert was installed to provide for drainage and prevent flooding, erosion, and instability on several lots within the Forest Heights Subdivision. It also ensures the integrity of the City road providing access to the Property and the other adjacent lots in the Forest Heights Subdivision. Consequently, while there is no recorded easement on the Property for the culvert, an easement has effectively been created through adverse possession for the benefit of the City, as well as other benefited property owners in the Subdivision. Thus, any relocation of the culvert requires consent by the property owners, including the City, who have adversely possessed an interest in the culvert on the Property.

If you have any questions please do not hesitate to contact me.

Sincerely,

Samantha Greenwood

City Planner 907-424-6233

planning@cityofcordova.net

REQUEST FOR PROPOSALS

General Counsel Legal Services RELEASE DATE: Monday, 20 July, 2015 SUBMISSION DEADLINE: Friday, 14 August, 2015 @ 5:00 pm

Mail Proposals to:

City of Cordova Office of City Manager (Attn: R. Robertson) 602 Railroad Avenue P.O. Box 1210 Cordova, Alaska 99574

Subject: City of Cordova General Legal Services Request for Proposals

To: All interested parties

The City Council of the City of Cordova offers the enclosed Request for Proposals (RFP) for City Attorney and general municipal legal services for your consideration.

I encourage you/your firm to submit a proposal per the enclosed guidelines if you are interested in providing services to the City of Cordova in the areas of general legal services and to act as City Attorney. If you have any questions, please contact me at (907) 424-6200, or email at citymanager@cityofcordova.net.

In advance, thank you for your interest and consideration.

Respectfully,

Randy Robertson City Manager

Description:

The City of Cordova, Alaska, will receive sealed proposals from firms qualified to perform City Attorney/General Legal Services (hereinafter CA/GLS) until 5:00 p.m. (local) on Friday, 14 August 2015 at the Cordova City Hall located at 602 Railroad Avenue, P.O. Box 1210, Cordova, Alaska 99574. Firms are invited to submit a proposal outlining their experience and qualifications in performing work directly related to the services required as detailed in this RFP packet.

The City invites interested firms to submit written proposals to perform legal services which cover the scope of its' municipal business and public service duties and affairs and are generally/usually associated with the duties performed by a CA. These services will be provided on a contractual basis for a three (3) year period, and may be renewed through mutual consent of both parties under the same terms and conditions. For budgetary stability the City wishes a fixed rate for the duration of this contract. The City may elect to seek new proposals at any time during the duration of the contract.

While the City is requesting proposals for CA/GLS, this action should not be construed as a negative reflection on the products and services currently being provided by legal counsel, and in fact, invite and encourage the current vendor to submit a proposal under the guidelines of this RFP. The City Council believes it is in Cordova's best interest to periodically examine and seek opportunities for new proposals.

No proposal will be considered unless fully completed in the manner provided by this packet. Only hard copied bids will be accepted (no facsimile or electronic copy). Ten (10) bound copies (one (1) "MASTER" and nine (9) copies) complying with provisions of this packet must be submitted by the stated due date and time. Proposals received after closing time will be considered non-responsive. All expenses related to the submitting a proposal are the Proposer sole responsibility and all documentation submitted will become the property of the City of Cordova. Early submissions are authorized and encouraged.

Submission of a proposal establishes a conclusive presumption that the Proposer is familiar with the RFP and the specifications and terms outlined therein, and that the Proposer understands and agrees to abide by each and all of the stipulations and requirements contained therein.

The City may reject any proposal not in compliance with the prescribed public bidding procedures and requirements. Copies of this document may be found on the city's web site at: http://cityofcordova.net, or obtained from the City Clerk or City Manager.

Background:

The City of Cordova is governed under a Mayor/Council-City Manager form of government, with the Mayor serving as presiding officer of the Council. The City Manager is the city's executive officer with the code-derived authority and responsibility to oversee and manage the day-to-day duties of the city staff. He/she is responsible for the appointment and removal of all city department heads and employees with the exception of the City Clerk. The City Manager prepares and presents Cordova's annual budget and is generally the primary contact with the City Attorney for GLS matters. The City Council consists of seven (7) city-wide elected seats selected by citizens for rotational three year terms. The City Council will serve as the hiring authority for the CA/GLS firm selected by this process.

Proposed Timelines and Instructions:

Monday, 20 July 2015: RFP Opening date

Friday, 17 August 2015: RFP Closing date (5:00 p.m. local)

Possible interviews with City Council: Late August thru September 2015 Award of Contract and start date: Target date is o/a 1 October 2015

<u>Note:</u> The City of Cordova reserves the right to modify this schedule at its discretion. Notification of changes will be made via the city's web page and to those who are known potential vendors.

Proposal Validity Period and Withdrawal: Each proposal shall be irrevocable for a period of one-hundred-and- twenty (120) days from the RFP Opening date. Proposal may only be withdrawn by written notice prior to the date and time set for the opening of the proposal. No proposal may be withdrawn after 120 days from the deadline for submission.

Rejection: The City of Cordova reserves the right to reject any and all proposals, or to accept or reject any proposal in part or in total and to waiver any minor informality or process irregularity in proposals received if it is determined by the Council or City Manager that the best interest of the City will be served in doing so. In the event all proposals are rejected by the City, notice of such will be posted to the City's web-based home-page. No proposal will be considered from any person, firm or corporation in arrears or in default to the city on any contract, debt or other legal obligation or if the proposer's is disqualified by the City from consideration for a contract award or if the proposer's has committed a violation of a contract or other material sanction within the last five (5) years immediately preceding the date of issuance of this document.

Procurement Policy: Procurement for the city will be handled in a manner providing fair opportunity to all businesses. This will be accomplished without abrogation or sacrifice of quality and determined to be in the best interest of Cordova. The City of Cordova is an equal employment opportunity employer.

Proposal Signatures: Proposals must be signed and dated by an authorized official of the firm submitting the proposal. Each signature represents binding commitment upon the proposer to provide the goods and/or services offered to the city if the proposer is determined to be the most responsive and responsible.

<u>Contract Award:</u> The city reserves the right to award by item, group of items or total proposal. The proposer to whom the award is made will be notified at the earliest possible date. Notification of actions associated with the RFP will be made via announcements on the city's web page, through phone conversations or by electronic emails with the interested parties from the City Manager.

No RFP Response: Firms who are direct recipients of this RFP by actions taken of the City Council or City Manager but who do not intend to submit a proposal are requested to return a notice stating the reason(s) for not responding. Electronic (email) responses are preferred and should be submitted to: citymanager@cityofcordova.net.

NOTE: Proposals are subject to public disclosure after the deadline for submission IAW public law.

SPECIAL REQUIREMENTS & INSTRUCTIONS

Minimum Qualifications: Proposer will be deemed unqualified and rejected if they do not meet the following minimum qualifications or submit documentation which reflects that:

- No conflicts of interest between the city and those of its existing elected or appointed officials as determined by the city;
- The CA and principles of the firm hold a juris doctorate degree from an American Bar Association (ABA) accredited college or university and an active license in good standing with the Alaska State Bar. No sustained complaints on file with the State Bar Association for the past 3 years. Admitted to practice before State and Federal Courts;
- The firm in general and the CA in specific have demonstrable experience in the following areas of law: land use, codes and ordinances, election law, open meetings and FOIA, contracts, construction, public finance, employment, municipal litigation, medical malpractice and criminal matters. Individual/firm must be experienced and proficient in legal matters affecting the City, to include without limitation, federal and state constitutional law, federal and state non- constitutional law, Alaska Statutes, and the City of Cordova Municipal Code.
- The RFP reflects competence, legal and client management experience of all attorney's assigned to represent the city of Cordova under this contract;

- The RFP is received with a minimum of three (3) Alaskan municipalities for reference;
- The proposal reflects that the firm selected will provide responsive, timely service to the needs of the City of Cordova;
- A three (3) year fixed rate duration;
- A demonstrable ability to effectively represent and advocate for the interest of the City of Cordova and its elected officials and/or public servants in writing or at all public forums.

SCOPE OF SERVICES

It is the intention of the City of Cordova to enter into an agreement with a qualified law firm to provide CA/GLS on behalf of the City, Mayor and Council and City staff at a fixed hourly rate. The services will consist of providing legal counsel per Article 3.8, Charter of the City of Cordova, Alaska, and include but not be limited to:

- a. Providing the Mayor, Council and City Staff legal and/or regulatory advice, recommendations, and opinions on issues that routinely come up in normal day to day operation of the City. From time to time, there may be instances where the leadership of Cordova feel the circumstances require outside legal counsel.
- b. Prepare legal documents such as deeds, easements, ordinances, resolutions and legal opinions as needed. Provide representation in court, negotiate on the City's behalf and handle other legal matters that may arise.
- c. Be reasonably accessible for consultation by the City Council, Mayor and the City Staff.
- d. Draft opinion letters regarding, among other subjects, the interpretation of the City code, state and federal laws, and policies.
- e. Perform other such duties as may be prescribed by ordinance or by direction of the City Manager, Mayor and/or City Council.
- f. Work effectively with the Mayor, City Council, and City Staff, and also with other public agencies with which the City has legal connections.
- g. Assist with all appeals as provided per general provisions and intent of the Cordova Municipal Code.
- h. Serve as the city's primary point of contact for issues related to the formal conduct of Council or City Committee meetings.

- i. Advise the City Clerk on matters/issues related to the conduct of municipal elections.
- j. Attend regular or special called meetings when determined to be in the best interest of the city.

STATEMENT OF QUALIFICATIONS (SOQ) REQUIREMENTS:

For submission uniformity and to strengthen comparability, the SOQ submitted in response to this RFP must be no more than twenty (20) pages in length (excluding letter of transmittal, resumes, title page(s), index/table of contents, attachments, dividers or other forms, if required). Please provide the name, address, phone number, fax number, website for your firm, and any other firm or firms with whom you would collaborate with on this matter, together with the name, address, phone, fax and email, for the point of contact for your firm. If you propose to collaborate with another firm, provide the same information requested in this Statement for that firm. Please detail each of the following points in your Proposal:

- a. Table of Contents (identify materials by section and page number).
- b. Letter of Transmittal (Limited to two (3) pages).

Briefly state your organization's understanding of the services to be performed and your commitment to provide the services as specified. The transmittal letter must be signed by a corporate officer or other individual who has the authority to bind the firm.

- c. Statement of Qualifications shall, at minimum, address the following areas:
- 1. **Experience:** The firm's demonstrated experience, abilities, and past performance in handling municipal matters . . . be specific. Outline a detailed snap-shot of the professional and educational qualifications of key professional staff. Include quality, depth and range of experience(s), academic and professional background and expertise with representation of a small municipal government. Please list any other information that relates directly to the firm's ability to perform the requested services. In particular, the City is interested in the firm's caseload over the last 10 years in the following areas of law: Municipal zoning, Police Liability, Ordinance drafting, application and prosecution, Land use appeals, Civil rights, Premises liability, Public employment labor law, Condemnation, Pension and tax matters, Ordinance drafting, and general contracts and construction contracting.
- **2. Primary Attorney:** Provide detailed professional and educational qualifications of the primary attorney proposed for the City. Include quality, depth and range of experience(s) and expertise with representation of a small municipal government including areas of law outlined above.
- **3. Legal Approach**: Describe the organizational structure of the firm and the proposed method of performing the defined services. Such description should include, at a minimum, identification of principal counsel, supervising counsel and staff to be assigned to particular

matters, identification of available administrative resources, and the general workflow and means of communication with the City. Outline who and how you would handle litigation within your firm.

- **4. References**: The names and current telephone numbers of three (3) Alaskan client references who are familiar with the firm's experience and the experience of the primary attorney in the areas described in above. It is the firm's responsibility to ensure that their reference submissions are received by the City Manager on, or before, the proposal submission deadline, for inclusion in the evaluation process. Business references that are not received, or are not completely robust to address the basic work scope of the RFP and contributions of the proposing firm may adversely affect the firm in the evaluation process. The City may contact any or all business references for validation of information submitted.
- **5. Conflicts**: A list of all matters and/or cases where the firm currently represents an individual or entity with interests adverse to the City; include in the letter of transmittal.

FIRM BACKGROUND AND REFERENCES:

PRIMARY FIRM INFORMATION: - Firms must provide a company profile. Information shall be provided in within the RFP as a separate section and include, at minimum, the following:

- a. Company ownership. If incorporated, the state in which the company is incorporated and the date of incorporation. An out-of-city firm must become duly qualified to do business with the City by acquiring a City of Cordova business license and possess other licenses as they may be required by the State of Alaska.
- b. Disclosure of any alleged significant prior or ongoing contract failures, contract breaches, any civil or criminal litigation or investigation pending which involves the firm or in which the firm has been judged guilty or liable. **This is a mandatory disclosure.**
 - c. Location(s) from which employees will be assigned.
- d. Name, address and telephone number of the firm's point of contact for a contract resulting from this RFP.
- e. Company background/history and why firm is qualified to provide the services described in this RFP.
- f. Length of time firm has been providing services described in this RFP to the public and/or private sector. Please provide a brief description.
- g. Has the firm ever been engaged under contract by any State or Municipal agency located within the State of Alaska? If "Yes," specify when, for what duties, and for which agency.

- h. Is the firm or any of the firm's employees employed by the City, any of its political subdivisions or by any other government? If "Yes," is that employee planning to render services while on annual leave, compensatory time, sick leave, or on his own time.
- i. Has the firm ever been engaged under contract with a union? If "Yes," specify when, for what duties, and for which union.
- j. Resumes for key staff to be responsible for performance of any contract resulting from this RFP.

INDEPENDENT COUNSEL INFORMATION:

The proposal must reflect consideration of whether they will use independent counsel? If the response in "yes", the firm must:

- Identify specific independent counsel to be utilized and the specific requirements of this RFP for which each proposed independent counselor will perform services.
- Provide the same information for any proposed independent counsel as requested in the Primary Firm Information section.
 - References as specified above must be provided for any proposed independent counsel.
- The City requires that the awarded firm provide proof of payment to any independent counsel used for this project. Proposals shall include a plan by which the City will be notified of such payments.

COST:

A cost fee statement shall contain all pricing information relative to the services as described in this RFP. The City is not responsible for expenses incurred in preparing and submitting responses to the RFP, and such costs will not entertained in the submission.

Proposals will state the following cost information:

- a. An hourly cost for services to be provided for each task of the contract. If attorneys of various billable rates will provide the city with work products, please provide that schedule.
- b. Travel time costs and associated expenses to travel to attend one meeting for one full business day to City Hall, Cordova, Alaska. This number will be used to calculate the cost of additional trips in a budget year.

PAYMENT:

Payment for the contracted service will be within 30 days upon receipt of invoice and the using city's review and approval process. Payment tied to an hourly rate or on an "as needed basis." The City generally pays for services billed on a monthly basis, upon receipt of an invoice and using agency approval. Firms may propose an alternative payment option; alternative payment options must be listed as an attachment to the RFP. Alternative payment options will be considered if deemed in the best interest of the City, project or service solicited herein. The City does not issue payment prior to receipt of goods or services.

SUBMITTAL INSTRUCTIONS:

Given the distance and requisite travel the City will not be conducting a pre-bid conference for potential proposers. However, the City will accept questions and/or comments in writing, received either by mail, facsimile or e-mail regarding this RFP. Questions must reference this RFP and be electronically submitted to the City Manager: citymanager@cityofcordova.net. Deadline for submitting questions is 5:00 p.m. local, Tuesday, 4 August 2015. All questions and/or comments will be addressed in writing and responses mailed or emailed to prospective firms as quickly as possible. Please provide company name, address, phone number, email address and contact person when submitting questions.

SUBMITTALS: - Proposers shall submit one (1) original proposal marked "MASTER", and nine (9) identical copies to:

City of Cordova Office of the City Manager (Attn: R. Robertson) 602 Railroad Avenue P.O. Box 1210 Cordova, AK 99574

Proposals shall be clearly labeled in a sealed envelope or box as follows: "REQUEST FOR PROPOSAL: General Legal Services"

PROPOSAL SUBMISSION DEADLINE: Proposals must be received in Cordova City Hall by 5:00 p.m. local, Friday 14 August 2015. Proposals that do not arrive by proposal opening time and date WILL NOT BE ACCEPTED. Proposers may submit their proposal any time prior to the above stated deadline.

ERRORS - The City will not be held responsible for proposal envelopes mishandled as a result of the envelope not being properly prepared. Facsimile, e-mail or telephone proposals will NOT be considered; however, at the City's discretion, a proposal may be submitted all or in part via electronic media if prior arrangements with the City Manager are made. The City will not be responsible for any error or failure in facsimile or email transmission or receipt.

DISCREPANCIES - If discrepancies are found between two or more copies of the proposal, the master copy will provide the basis for resolving such discrepancies. If one copy of the proposal is not clearly marked "MASTER," the City may reject the proposal. However, the City may, at its sole option, select one copy to be used as the master.

FORMAT - For ease of evaluation, the proposal should be presented in a format that corresponds to and references sections outlined within this RFP, and should be presented in the same order. Responses to each section and subsection should be labeled so as to indicate which item is being addressed. Exceptions to this will be considered during the evaluation process.

DOCUMENTATION - If complete responses cannot be provided without referencing supporting documentation, such documentation must be provided with the proposal and specific references made to the tab, page, section and/or paragraph where the supplemental information can be found.

FORMAT - Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of capabilities to satisfy the requirements of this RFP. Expensive bindings, colored displays, promotional materials, etc., are not necessary or desired. Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to the RFP requirements, and on completeness and clarity of content.

DETAILS - Descriptions on how any and all equipment and/or services will be used to meet the requirements of this RFP shall be given, in detail, along with any additional information documents that are appropriately marked.

SIGNATURE - The proposal must be signed by the individual(s) legally authorized to bind the company.

CITY CONTACT – As previously outlined, for purposes of addressing questions concerning this RFP, the sole contact at the City of Cordova will be the City Manager. (907) 424-6200 or email citymanager@cityofcordova.net.

REVIEW - Proposers who believe proposal requirements or specifications are unnecessarily restrictive or limit competition may wish to discuss the matter with the City Manager. To be considered, a request for clarification or review must be received no later than to affect the receipt of the proposer's response to the RFP's deadline of 5:00 p.m. local, Friday, 14 August 2015.

CHANGES - If a proposer changes any material RFP language, proposer's response may be deemed non-responsive.

LICENSING - Proposers are cautioned that some services may contain licensing requirement(s). Proposers shall be proactive in verification of these requirements prior to proposal submittal. Proposals, which do not contain evidence of the proposer's possession of the requisite licensure, may be deemed non-responsive.

SUBMITTAL REQUIREMENT - Proposals shall be submitted in two (2) distinct parts - the narrative/technical proposal and the cost proposal. **The narrative/technical proposal must not include cost and pricing information.** While Technical and Cost proposals may be shipped together (i.e., in the same box/envelope), each proposal, inclusive of the master and requisite number of copies, must be bound or packaged separately.

SELECTION & AWARD:

The City of Cordova reserves the right to reject any or all proposals and is not bound to accept the lowest cost proposal if that proposal is determined to not be in the best interest of the city.

The City Council will conduct interviews and, by resolution appoint the firm or firms selected to provide the services outlined within this document. It is the intent of the City Council to award a contract for legal services for three (3) years at a fixed rate during the duration. At any time during the contract the Council may take action to terminate the contract with 90 day notice. Prior to the expiration of the agreement the Council will review and assess the firm's performance. They may take action to either extend, terminate, or seek new proposals through an RFP.

If the Council determines interviews will take place, selection of the firms to be interviewed shall be based upon, but not limited to the following criteria:

- a. The firm's approach to and understanding of the Scope of Work.
- b. The firm's experience with similar contracts and clients.
- c. Experience and qualifications of the proposed staff in providing similar services.
- d. A demonstrated ability to deliver work on time and within budget.
- e. Input from references.
- f. Financial acceptability (cost of providing services per the proposed rate schedule).
- g. Demonstration of workload capacity commensurate with the level of services required by the City.
- h. Exhibit of sound judgement, integrity and reliability as determined by the references provided.

Clarification may, at the City's sole option, be conducted with firms who submit proposals determined to be acceptable and competitive. Firms shall be accorded fair and equal treatment with respect to any opportunity. There shall be no disclosure of any information derived from proposals submitted by competing firms.

An award is contingent upon the successful negotiation of final contract terms and upon approval of the Cordova City Council. Negotiations shall be confidential and not subject to disclosure to competing firms unless and until an agreement is reached. If contract negotiations cannot be concluded successfully, the City may negotiate a contract with another firm or withdraw the RFP.

TERMS AND CONDITIONS:

- a. This contract shall remain in effect for an initial time period of three (3) years, after which it may then be renewed by the City Council. At any time, the city's may terminate the agreement with 90 day notice.
- b. Any contract periods and/or any renewals shall be based upon:
 - Satisfactory service and performance;
 - Being mutually agreed to, in writing, within 90 days prior to the expiration date of the contract;
 - Continuation of this contract beyond the current year is subject to and contingent upon sufficient funds being appropriated, budgeted, and otherwise made available by the Cordova City Council. The City may terminate this Contract, and Contractor waives any and all claim(s) for damages, effective immediately upon receipt of written notice (or any date specified therein) if, for any reason, the Contracting Agency's funding from City, State, and/or federal sources is not appropriated, or is withdrawn, limited, or impaired;
 - Procurement and annual renewal of a City of Cordova Business License;
 - The City reserves the right to alter, amend, or modify any provisions of this RFP, or to withdraw this RFP, at any time prior to the award of a contract.

The Point of Contact for this RFP is Randy E. Robertson, City Manager, (907) 424-6200, or citymanager@cityofcordova.net

The City of Cordova is an Equal Employment Opportunity organization.

Again, I encourage you/your firm to submit a proposal per the enclosed guidelines if you are interested in providing services to the City of Cordova in the areas of general legal services and to act as City Attorney. If you have any questions, please contact me at (907) 424-6200, or email at citymanager@cityofcordova.net.

In advance, thank you for your interest and consideration.

Respectfully,

Randy Robertson City Manager

Pending agenda:

Fall 2015 / **after fishing**: Code change regarding HSB and/or creation of a Health Care Advisory Board – awaiting QHR input (possibly more info forthcoming after **Jan 11** QHR meeting w-council)

Capital Priorities List Meeting Mar 2, 2016; Jun 1, 2016; Sep 7, 2016; Dec 7, 2016 – on hold due to limited (none) capital budget at state level

HSB Quarterly regular meetings **Apr 6, 2016; July 6, 2016; Oct 5, 2016; Jan 4, 2017**Presently the board is meeting monthly – special meetings between the regular quarterly meetings

Staff quarterly reports in packets: Feb 3, 2016; April 20, 2016; Jul 20, 2016; Oct 19, 2016

Joint Work Session with the **Native Village of Eyak Tribal Council** – met 11-9-15 (no City Council quorum); to meet quarterly – next tba (**January**?)

Per City Attorney RFP, set up a schedule for the chosen firms to come present to City Council: Scheduled for Jan 20, 2015 meeting

Date TBD - discussion regarding water charges at the harbor

February 17 per City Manager suggestion – work session with Sheridan Ski Club

Formation of a marijuana-related committee

October 1, 2016 - effective date of substitute ordinance 1137 (plastic bag and polystyrene container ban) Council wants this on Pending Agenda so as to keep an eye on public opinion/effectiveness of the enactment of this ordinance

Committees:

Cordova Center Committee: Tim Joyce, Sylvia Lange, Randy Robertson, Kristin Carpenter, Native Village of Eyak Representative, Chamber of Commerce Representative, Business Community Representative, PWSSC Representative, Stage of the Tides Representative.

Fisheries Advisory Committee: David Reggiani, PWSAC; Ken Roemhildt, Seafood Sales; Jim Holley, AML; Torie Baker, Chair, Marine Advisory Program Coordinator; Chelsea Haisman; and Jeremy Botz, ADF&G

Cordova Trails Committee: Elizabeth Senear, VACANCY, VACANCY, Toni Godes, and David Zastrow

AMHS Committee: to be filled January 2016 & February 2016

Marijuana Committee: pending

Calendars:

3 months of calendars are attached hereto Jan 2016; Feb 2016; Mar 2016

JANUARY 2016

JANUARY CALENDAR MONTH 2016 **CALENDAR YEAR SUNDAY 1ST DAY OF WEEK**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	CSD Holiday New Year's Day-City Hall Offices Closed	2
3	4	declaration of candidacy period opens for 3/1/16 regular election	6 6:45 Council pub hrg CCAB 7:00 Council reg mtg CCAB	7	8	9
10	6:00 Council spec mtg CCAB	12 6:30 P&Z CCB	7:00 Sch Bd HSL 7:00 Harbor Cms CCB	14	15	16
17	Martin Luther King Jr City Hall Offices Closed	19	6:00 Council pub hrg CCAB 6:15 Council reg mtg CCAB	Tipoff Basketball Tournament CSD-CHS Gym	Tipoff Basketball Tournament CSD-CHS Gym CSD-inservice	Tipoff Basketball Tournament CSD-CHS Gym
24	25	26	27	Noon-Mayor Lunch with Bd & Cms reps CCB	29	30
31	1	Notes Legend: CCAB-Cordova Center Community Rms A&B HSL-High School Library	CCA-Cordova Center Community Rm A CCB-Cordova Center Community Rm B	CCM-Cordova Center Mayor's Conference Rm CSD-Cordova School District CCER-Cdv Ctr Educ Rm		

FEBRUARY

CALENDAR MONTH	FEBRUARY		
CALENDAR YEAR	2016		
1ST DAY OF WEEK	SUNDAY		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	1	2	3	4	5	6
	iceworm festival	iceworm festival	6:45 Council pub hrg (maybe) CCAB 7:00 Council reg mtg CCAB	iceworm festival	iceworm festival	iceworm festival
7	8	9	10	11	12	13
superbowl '50'		6:30 P&Z CCB	7:00 Sch Bd HSL 7:00 Harbor Cms CCB			
14	15 CSD Holiday	16 absentee voting	17 absentee voting	18 absentee voting	19 absentee voting	20 absentee voting
	Pesidents' Day-City Hall Offices Closed	CSD Inservice	6:45 Council pub hrg (maybe) CCAB 7:00 Council reg mtg CCAB			
21	22 absentee voting	23 absentee voting	24 absentee voting	25 absentee voting	26 absentee voting	27 absentee voting
28	29 absentee voting	1	2	3	4	5
6	7	Notes Legend: CCAB-Cordova Center Community Rms A&B HSL-High School Library	CCA-Cordova Center Community Rm A CCB-Cordova Center Community Rm B	CCM-Cordova Center Mayor's Conference Rm		

MARCH

CALENDAR MONTH	MARCH
CALENDAR YEAR	2016
1ST DAY OF WEEK	SUNDAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	1	2	3	4	5
		ELECTION DAY	6:45 Council pub hrg (maybe) CCAB 7:00 Council reg mtg CCAB			
6	7	8	9	10	11	12
		6:30 P&Z CCB	7:00 Sch Bd HSL 7:00 Harbor Cms CCB	12:00 Council spec mtg CCAB		
13	14	15	16 CSD Spring Break	17	18	19
			6:45 Council pub hrg (maybe) CCAB			
	CSD Spring Break	CSD Spring Break	7:00 Council reg mtg CCAB	CSD Spring Break	CSD Spring Break	
20	21	22	23	24	25	26
27	28	29	30	31	1	2
3	4	Notes			-	
		Legend: CCAB-Cordova Center Community Rms A&B HSL-High School Library	CCA-Cordova Center Community Rm A CCB-Cordova Center Community Rm B	CCM-Cordova Center Mayor's Conference Rm		

CITY OF CORDOVA, ALASKA – ELECTED OFFICIALS & APPOINTED MEMBERS OF CITY BOARDS and COMMISSIONS

MAYOR AND CITY COUNCIL - ELECTED

seat/length of term	email	Date Elected	Term Expires
Mayor:	James Kacsh	March 5, 2013	March-16
3 years	Mayor@cityofcordova.net	, , , , , , , , , , , , , , , , , , ,	
Council members:			
Seat A:	Kristin Carpenter	March 5, 2013	March-16
3 years	CouncilSeatA@cityofcordova.ne	<u>et</u>	
Seat B:	Timothy Joyce	March 4, 2014	March-17
3 years	CouncilSeatB@cityofcordova.ne	March 14, 2013 filled vacancy	
		August 2, 2012 appt to A	
Seat C:	Tom Bailer	March 4, 2014	March-17
3 years	CouncilSeatC@cityofcordova.ne		
Seat D:	Robert Beedle	March 3, 2015	March-18
3 years	CouncilSeatD@cityofcordova.ne		
Seat E:	Josh Hallquist	March 3, 2015	March-18
3 years	CouncilSeatE@cityofcordova.ne		
Seat F:	David Reggiani	March 5, 2013	March-16
3 years	CouncilSeatF@cityofcordova.ne		
~ ~		March 3, 2009 1 yr trm	
Seat G:	James Burton, Vice-Mayor	March 5, 2013	March-16
3 years	CouncilSeatG@cityofcordova.ne	<u>et</u>	
	SCHOOL ROA	RD - ELECTED	
length of term	Self-of Bon	Date Elected	Term Expires
3 years	Bret Bradford	March 3, 2015	March-18
3 years	Tammy Altermott	March 5, 2013	March-16
3 years	Peter Hoepfner	March 3, 2015	March-18
o j cara		March 6, 2012	
		March 3, 2009	
		March 7, 2006	
3 years	Sheryl Glasen	March 4, 2014	March-17
3 years	Barb Jewell, President	March 5, 2013	March-16
3 years	Vacant (appointed, non-voting	g)	
	City Council Rep		
	LIBRARY BOAR	RD - APPOINTED	
length of term		Date Appointed	Term Expires
3 years	Wendy Ranney	November-15	November-18
·	•	April-13	
3years	Shannon Mallory	November-13	November-16
3 years	Krysta Williams	December-14	November-17
		November-11	
3 years	Kay Groff	December-14	November-17
		December-11	
		January-09	
3 years	Mary Anne Bishop, Chair	November-13	November-16
		November-10	
		November-06	

	IMUNITY MEDICAL CENTER – HEA	ALTH SERVICES BOARD - v	with Council election
length of term		Date Appointed	Term Expires
3 years	Kristin Carpenter, President		with Council office
3 years	Tom Bailer		with Council office
3 years	Tim Joyce		with Council office
3 years	James Burton		with Council office
3 years	Robert Beedle		with Council office
3 years	Josh Hallquist		with Council office
3 years	David Reggiani		with Council office
	PLANNING AND ZONING COM	MISSION - APPOINTED	
length of term		Date Appointed	Term Expires
3 years	Allen Roemhildt	January-14	November-16
3 years	Scott Pegau	December-14	November-17
,		December-11	
3 years	John Baenen	November-15	November-18
5 yours	John Buchen	December-12	Trovenioer Te
3 years	Tom Bailer, chair	November-13	November-16
5 years	Tom Daner, Chan	December-11	November-10
		November-08	
3 years	Tom McGann, vice chair	December-14	November-17
		December-11	
		April-11	
3 years	Heath Kocan	November-15	November-18
3 years	Mark Frohnapfel	February-15	November-17
	HARBOR COMMISSIO	N ADDOINTED	
length of term	HARDOR COMMISSIO	Date Appointed	Term Expires
3 years	Robert Beedle, chair	January-14	November-17
3 years	Greg LoForte	February-13	November-16
3 years	Greg Lorone	January-10	140vember-10
		· · · · · · · · · · · · · · · · · · ·	
	3.6 XX7*	January-07	N. 1 15
3 years	Max Wiese	January-14	November-17
		March-11	
3 years	Ken Jones	February-13	November-16
3 years	Jacob Betts	November-15	November-18
]	PARKS AND RECREATION CO	MMISSION - APPOINTE	ED
length of term		Date Appointed	Term Expires
3 years	Kara Johnson	February-15	November-17
•		December-12	
3 years	Miriam Dunbar	November-15	November-18
5) 5 112 2		August-14	
3 years	Wendy Ranney, Chair	November-15	November-18
3 years	Wenuy Ranney, Chan		November-16
2	Ctanhan Dhilling	August-14	Mar 10
3 years	Stephen Phillips	November-15	November-18
3 years	Marvin VanDenBroek	February-14	November-16
3 years	Karen Hallquist	November-13	November-16
3 years	Dave Zastrow	February-15	November-17
		September-14	
seat	up for re-election in 2016		
term	ned out in 2016		